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TITLE 10

OF THE

Revised Laws of Vermont, 1880,

RELATING TO

Public Instruction.

Published by Authority.

RUTLAND:
TLE & Co., OFFICIAL PRINTERS AND STATIONERS TO THE STATE.
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PREFACE.

THIS pamphlet is printed under authority of No. 142, Acts of 1880, Sec. 5, for the use of school districts.

CLARENCE H. PITKIN,
HIRAM A. HUSE,
ASHTON R. WILLARD,
Commissioners to edit the Revised Laws.

MONTPELIER, July, 1881.

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TITLE 10.

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SEC. 452. The general assembly shall elect, at each biennial session, a state superintendent of education. A vacancy in said office shall be filled by the governor.

General duties.
1874, No. 33, § 2; 1874, No. 36, § 4; 1872, No. 18, § 6; G. S. 22, § 3; 1856, No. 5, § 3; 1849, No. 14, § 2; 1845, No. 37, § 7.

SEC. 453. The state superintendent shall devote his whole time to promoting the educational interests of the state, and shall visit every part thereof during each year, deliver lectures upon the subject of education, confer with town superintendents, visit schools with them, and furnish them blank certificates for teachers, and blank forms for collecting school statistics.

Teachers' Institutes.
1874, No. 33, § 3; 1869, No. 7; 1868, No. 53, § 1; 1867, No. 69, § 1; 1863, No. 27; G. S. 22, § 23; 1856, No. 5, § 3; 1849, No. 14, § 3; 1845, No. 37, § 5.

SEC. 454. The state superintendent shall annually, upon a written application for that purpose of twenty-five teachers in any county, except Grand Isle and Essex, where the application of fifteen shall be sufficient, hold one teachers' institute in such county, for a term not exceeding three days, at a time as far as practicable when the common schools are not in session. He may employ assistants to give efficiency and interest to such institutes, and a sum not exceeding thirty dollars a day paid by him for their services and for advertising and other necessary expenses, shall be paid to him upon the order of the auditor of accounts.

Educational meetings.
1878, No. 124.

SEC. 455. When application is not made previous to the first day of July by the requisite number of school teachers, for a teachers' institute, the state superintendent, if after consultation with the superintendents of the county, he judges best so to do, may hold in such county, in places where proper arrangements can be made, not less than two nor more than five educational meetings, for one day and evening each, and may employ suitable persons as assistants in the meetings; and for such assistance and the expense of advertising, he shall be paid from the state treasury not more than twelve dollars for each meeting.

Report.
1874, No. 33, § 7; G. S. 22, §§ 3, 4; 1858, No. 1, § 12; 1856, No. 5, §§ 3, 5; 1845, No. 37, § 7.

SEC. 456. The state superintendent shall prepare and present to the general assembly, on the first day of each biennial session, a report of his official acts for the preceding two years, and a statement of the condition of schools and of the expenditure of the school money therein, with such suggestions for the improvement of the schools as he deems proper.

SEC. 457. Not more than three thousand five hundred copies of his report shall be printed, and he shall distribute them as follows: one copy to each member of the general assembly; one copy to each town superintendent; one copy to each district clerk; and one copy to the principal of each graded, union, or high school; and the remaining copies shall be deposited in the state library for reference, exchange or sale. The copies for distribution, except for members of the general assembly, shall be forwarded to the town clerks, who shall deliver them to the persons entitled thereto.

Report; number, distribution. 1874, No 33, § 7; G. S. 22, § 8; 1858, No. 1, § 12.

TOWN SUPERINTENDENT.

SEC. 458. The term of office of a town superintendent shall begin on the first day of April next after his election and continue for one year and until a successor is chosen.

Term of office. G. S. 22, § 9; G. S. 15, § 13; 1858, No. 1, § 1; 1845, No. 37, § 1; 1833, No. 19, § 1; 1827, No. 23, § 3.

SEC. 459. Town superintendents shall visit each public school in their towns, at least once a year, shall inform themselves of the discipline and progress in study in such schools, advise the teachers, and adopt the necessary measures for the examination, regulation, and improvement in learning, of such schools.

General duties. G. S. 22, § 10; 1845, No. 37, § 4; 1833, No. 19, § 1; 1828, No. 17, § 2; 1827, No. 23, § 3.

SEC. 460. Each town superintendent of schools shall, at the close of his term of office make a detailed account of his services, stating the date, time spent and kind of service, and the number of districts in which a school has been taught during the year preceding, and shall make oath to the correctness of the same before a justice, who shall certify thereto. Such account shall be presented to the selectmen of the town, and the selectmen shall allow so much of said account as is just and draw an order on the town treasurer therefor. The account when audited shall be placed on file in the town clerk's office.

Account for services. 1880, No. 102, § 1; G. S. 22, § 9; 1861, No. 9, §§ 1, 2; 1858, No. 1, § 1; 1845, No. 37, § 11.

SEC. 461. Each town superintendent shall file a duplicate copy of his account in the office of the town clerk on or before the day previous to the annual town meeting.

Duplicate to be filed. G. S. 22, § 10.

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NORMAL SCHOOLS

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SEC. 462. The normal schools at Randolph, Johnson and Castleton are continued until August, 1890.

Schools continued. 1878, No. 113, § 1; 1874, No. 34; 1870, No. 20, § 1; 1866, No. 1, §§ 1, 7.

Teachers.
1874, No. 35, § 1; 1870, No. 20, § 2; 1866, No. 1, § 2.

SEC. 463. The state superintendent of education shall nominate and approve a principal teacher and a first assistant teacher for each normal school, and shall withdraw such approval when the interests of the school demand; and no person not so nominated, or the approval of whom is withdrawn, shall be employed as such principal or first assistant; but the principal may select his other assistants and provide for the discipline of the school.

COURSES OF STUDY.

Courses of study.
1878, No. 113, §§ 2, 3; 1874, No. 35, § 3; 1866, No. 1, § 3.

SEC. 464. There shall be two courses of study in a normal school, and no more. Each course shall contain such branches as the trustees of the school and the state superintendent shall agree upon; but no foreign language, ancient or modern, shall be included therein. No study or subject not included in the established courses shall be taught in a normal school.

No state aid unless § 464 complied with.
1878, No. 113, § 4.

SEC. 465. The state superintendent shall ascertain each term of half year whether the provisions of the preceding section have been complied with, and in case of non-compliance on the part of a school, or of the trustees or teachers thereof, shall withhold the certificates upon which the auditor of accounts is authorized to draw his order for the payment of moneys to such school.

EXAMINATIONS.

Examinations.
1874, No. 35, §§ 2, 3; 1868, No. 31; 1866, No. 1, § 5.

SEC. 466. The examination for admission to a normal school shall be controlled by the trustees of such school and the state superintendent. The examination for graduation shall be conducted by a board consisting of the state superintendent, the principal of the normal school, and a practical teacher who shall be annually appointed by the governor from the congressional district in which such school is located, and who shall receive four dollars a day and his traveling expenses while in the discharge of such duties. Such board shall attend and assist at such examination; and shall grant certificates of of graduation to all who pass the required examination in the first course or both courses, but may revoke said certificate upon cause shown.

SCHOLARSHIPS.

Each town entitled to one.
1878, No. 113, § 5; 1876, No. 39, § 3.

SEC. 467. Each town shall be entitled to a scholarship in a normal school, and a person appointed to a scholarship may attend the normal school in either of the congressional districts.

Town superintendents may appoint; who may be appointed.
1876, No. 39, § 4.

SEC. 468. The town superintendent may appoint to a scholarship, for the period required to complete a course of study in the school, any person who is an inhabitant of the town, of good character, fifteen years of age or more, who declares it to be his purpose to complete at least one of the courses of study in the normal school, and to teach in the common schools of the state for two years after graduation; and upon passing the examination for admission to the school, such person shall be entitled to the privileges thereof. The town

superintendent shall notify the trustees of the school of such appointment, before the first day of the term in which the appointment is to take effect.

Town superintendents may recommend. 1876, No. 39, § 4.

SEC. 469. If the scholarship of the town is already filled through appointment by himself or by his predecessor, he may recommend for scholarship to the trustees of either of the normal schools, any person whom he could appoint to the scholarship of his town.

Vacant scholarships; assignment of. 1878, No. 113, § 5; 1876, No. 39, § 5.

SEC. 470. A scholarship vacant by the failure of the town superintendent to appoint a suitable person, or by the unexcused absence of the holder of the scholarship, may be assigned, by the trustees, for one term only, to any person recommended by a town superintendent, and who passes the required examination. But no town shall have more than ten scholarships in one term, and the total number of scholarships in the three schools shall not exceed the number of towns in the state.

Amount of scholarship; conditions of payment. 1876, No. 39, §§ 2, 3.

SEC. 471. A scholarship shall be reckoned at twelve dollars a half year; and the trustees of each normal school may present their claim to the auditor of accounts in the months of June and December for such sum as will be produced by the number of scholarships filled in their school for the half year then current. The state superintendent, during each half year, shall examine the records of each normal school, and if he finds that the scholarships have been granted according to law and only in such numbers as the law allows, and that the provisions of law respecting courses of study have been complied with, shall give his certificate to that effect; and the auditor shall draw his order on the treasurer of the state for the amount of the claim presented by the trustees only when the claim is accompanied by such a certificate from the state superintendent.

APPROPRIATIONS.

Regular appropriation. 1876, No. 39, §§ 1, 7; 1874, No. 35, § 4; 1872, No. 20, § 1; 1870, No. 19, § 1.

SEC. 472. Five hundred dollars a year is appropriated to each normal school, to be expended by the trustees thereof under the direction of the state superintendent, in aiding such schools; and the auditor of accounts shall draw his order on the treasurer of the state, for one-half of the above named sum in each of the months of June and December, on the presentation by the trustees of such school of their claim therefor, with a certificate of the state superintendent that the school has complied with the provisions of law respecting normal schools.

Conditional appropriation. 1876, No. 39, § 6.

SEC. 473. If, in addition to all sums received from the state by direct appropriation, from state scholarships, from tuition and from the rent of county grammar school lands, the trustees of a normal school shall, in any year, furnish and use, under the direction of the state superintendent, for the current expenses of the school, the sum of five hundred dollars, they shall receive from the state an equal sum, which shall be used in paying for instruction in such school. The auditor of accounts shall draw his order for the payment of such sum in

half yearly installments, in June and December, upon the receipt of the claim of the trustees therefor accompanied by a certificate from the state superintendent that the condition upon which such sum is appropriated has been complied with.

TRAINING SCHOOL DEPARTMENT OF GRADED SCHOOLS.

Training schools. 1876, No. 49, §§ 1, 2.

SEC. 474. A graded school organized in accordance with a special act of the general assembly, and situated in a county in which there is no normal school, may establish, in connection with such graded school, a training school department for the instruction and training of teachers. The state superintendent shall establish two courses of study in such training school, similar to those of normal schools. The examining board for such training school shall be composed of the state superintendent, the principal of the school and the examiner appointed for the normal school in the same congressional district. Such board shall have the same powers and be liable to the same duties as the examining board of a normal school.

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497, 498. Certificates may be revoked by town superintendent.

STATE CERTIFICATES.

Certificates of graduation; effect of. 1876, No. 49, § 1; 1874, No. 35, § 3; 1866, No. 1, § 4.

SEC. 475. A certificate of graduation from the lower course of a normal school, or the lower course of a training school department of a graded school, shall be a license to teach in the common schools of the state for five years from the date thereof; and a certificate of graduation from the higher course of such normal school or training school shall be a license to teach in the common schools of the state for ten years from the date thereof.

Renewal of certificate. 1876, No. 50, § 1.

SEC. 476. A graduate of a normal school or training school department of a graded school, at the end of the term for which such graduate was licensed to teach, may be admitted to an examination in the second course of study in said normal school or training school, on the presentation of testimonials showing to the satisfaction of the examining board that such graduate has taught successfully for twenty weeks during each year of the period, or for an equivalent number of weeks during the whole period; and on passing a satisfactory examination in said course such person shall receive a license to teach for ten years in the common schools of the state.

COUNTY CERTIFICATES.

Examining board, how constituted; clerk. 1876, No. 50, §§ 2, 8.

SEC. 477. The town superintendents at their annual county meetings shall choose by ballot one of their own number and two practical teachers of the county, to constitute an examining board for the county. And the secretary of said meeting shall, within five days after the meeting, make a return to the state superintendent, and to the county clerk, of the names of the persons so elected. The town superintendent on each board shall be the clerk of the board.

Fees and expenses. 1876, No. 50, § 9.

SEC. 478. Members of the county examining board shall receive three dollars a day for each day spent in attending and in going to and from the county examination, and their actual and necessary traveling expenses; and the clerk of the board shall receive pay for necessary advertising, stationery and postage.

Examinations, holding of. 1876, No. 50, § 3.

SEC. 479. Such board shall hold a public examination at some convenient place in the county, for two days, on application of five persons qualified for admission to such examination. Notice of the time and place of holding such examination shall be published in all the newspapers of the county at least two weeks prior to such examination. Two such examinations may be held in the county during the year if properly applied for.

Requirements of examination. 1876, No. 50, § 5.

SEC. 480. Candidates for county licenses must be examined in all the branches required by law to be taught in the common schools of the state, in drawing, and in methods of teaching. The examination shall be in writing in not less than six subjects.

Qualifications for admission to. 1876, No. 50, § 4.

SEC. 481. Candidates for admission to a county examination must be twenty years of age, if men, and eighteen years, if women, must bring testimonials from the town superintendents who granted their certificates and from the committee who hired them showing that they have taught successfully in the common schools of the state for at least ten weeks and approving their moral character; or it shall be a sufficient qualification for admission to such examination if the candidate holds a county license granted in another county.

Who entitled to certificate. 1876, No. 50, § 6.

SEC. 482. Candidates passing a satisfactory examination shall receive a license to teach in the common schools of the county for five years.

Renewal of certificate.
1876, No. 50, § 7.

SEC. 483. The holder of a license granted by a county examining board, at the expiration of the term for which such license was granted, upon showing to the satisfaction of the examining board that he has taught satisfactorily sixty weeks during the term of such license, shall be qualified for admission to a regular county examination, and passing it satisfactorily shall receive a county license for a further term of five years.

Duty of clerk of board.
1876, No. 50, § 8.

SEC. 484. The clerk of the examining board shall keep a record of examinations held by the board, and of the names, ages and residences of all persons by them licensed, and of the questions used in the examination. Such record shall be delivered by each clerk to his successor in office, and shall be always open for the inspection of citizens of the county. The clerk shall, within five days after each meeting of the board, file in the office of the county clerk and forward to the state superintendent, the date of each license granted, and the name, age and residence of each person licensed.

TOWN CERTIFICATES.

Town superintendents to meet annually.
1874, No. 36, §§ 1, 2; 1870, No. 12, § 1.

SEC. 485. The town superintendents in each county shall meet annually on the first Tuesday in April. In Bennington county the meeting shall be held in the town house at Arlington, in the other counties at the county court house. The superintendents so assembled shall choose one of their number to preside at the meeting, and a secretary who shall keep a record of the proceedings.

To fix examination questions.
1874, No. 36, §§ 1, 2; 1870, No. 12, §§ 1, 3.

SEC. 486. Such meeting shall decide upon a set of questions to be used in the written examination of teachers, and shall fix the standard of qualifications of teachers for the ensuing year. The secretary shall have printed, at the expense of the state, and shall distribute to each town superintendent lists of the questions so decided upon.

Examinations.
1870, No. 12, § 2; 1866, No. 8; G. S. 22, §§ 13, 14; 1859, No. 31; 1858, No. 1, § 3; 1845, No. 37, § 12; 1833, No. 19, § 1; 1828, No. 17, § 3; 1827, No. 23, § 3.

SEC. 487. Each town superintendent shall hold two public examinations of teachers annually in the months of April or May, and October or November. Said examinations shall be held on the same day throughout the county, and public notice of the time and place of holding the same shall be given by each superintendent. No examination shall be held at any other time except for the accommodation of teachers prevented by sickness or other unavoidable circumstance from attending the regular examination; and superintendents shall receive fifty cents from each person applying for examination at any other time than at the regular public examination.

Certificates, when granted.
G. S. 22, § 11; 1845, No. 37, § 4; 1833, No. 19, § 1; 1828, No. 17, § 3; 1827, No. 23, § 3. 35 Vt. 623. 41 Vt. 353.

SEC. 488. A town superintendent may grant a certificate of qualification to teach in the public schools of the town, to a person who passes such examination satisfactorily, provided the superintendent has satisfactory evidence of the good moral character of such person and of his capacity for the government and instruction of schools.

When office of superintendent vacant.
1866, No. 7.

SEC. 489. In case of a vacancy in the office of superintendent of a town, the superintendent of an adjoining town may

examine, and finding them satisfactorily qualified may grant certificates to persons desiring to teach in the first mentioned town.

Town superintendent, how to obtain certificate.
G. S. 22, § 12; 1860, No. 6.

SEC. 490. A town superintendent desiring to teach in the town where he resides, may apply to the superintendent of an adjoining town, who shall examine him, and finding him satisfactorily qualified shall grant him a certificate, which shall authorize such applicant to teach in the town where he resides.

Certificates, how long of force.
1878, No. 120; 1870, No. 12, § 2; G. S. 22, § 11; 1845, No. 37, § 4.

SEC. 491. All certificates granted by town superintendents shall be good until the first day of June in the calendar year following the year in which they were granted.

Return to state superintendent.
G. S. 22, § 15; 1850, No. 42, § 1.

SEC. 492. Town superintendents shall, on or before the first day of February in each year, lodge in the town clerk's office and forward to the state superintendent a list of the names of persons to whom they have granted certificates during the preceding year, and the date of each certificate.

GENERAL PROVISIONS.

Teacher holding certificate, to notify superintendent.
1878, No. 117, § 2.

SEC. 493. Every teacher holding a county or state certificate shall notify the superintendent of the town in which he is to teach that he holds such certificate before commencing his school, and shall submit the same to the inspection of such superintendent when it is called for.

Unless teacher has certificate, contract void.
1874, No. 37, § 1; G. S. 22, §§ 11, 60; 1845, No. 37, §§ 4, 8; 1833, No. 19, § 1; 1827, No. 23, § 3.
12 Vt. 192. 29 Vt. 433.
20 Vt. 495. 30 Vt. 586.
26 Vt. 115. 34 Vt. 270.
27 Vt. 281. 41 Vt. 353.
28 Vt. 575. 46 Vt. 452.

SEC. 494. Every teacher of a district school, except principals of graded and union schools, shall obtain a certificate before he opens such school; and contracts for teaching between the prudential committee of a school district and a school teacher shall be void if such teacher does not obtain a certificate before opening school.

Committee liable to district for money paid teacher, when.
G. S. 22, § 59; 1859, No. 39.

SEC. 495. If a prudential committee of a school district pays out moneys of the district to a teacher employed therein who has not the certificate required by law, such committee shall be liable to such district for moneys so paid, to be recovered in an action on the case; and the town agent of the town shall prosecute such actions to effect at the expense and in the name and for the benefit of such district.

Exception in case of principals.
1874, No. 37, § 1.

SEC. 496. Principals of graded and union schools shall not be required to procure a certificate, and contracts for teaching made between the trustees of a graded school district or prudential committee of a union school district and their principal teacher, shall be valid without such certificate.

Town certificate may be revoked.
1865, No. 27; G. S. 22, § 16; 1858, No. 1, § 4.

SEC. 497. When, upon personal examination of schools, a town superintendent becomes satisfied that a teacher holding a town certificate is incompetent to teach or govern his school, or is setting an evil example before it, the superintendent may revoke such certificate by filing in the town clerk's office a written revocation, giving the reasons therefor, and by delivering a copy thereof to the prudential committee and to the teacher. The certificate thus revoked shall be thereafter void;

and the teacher's contract with the school district shall become void therefrom, and the prudential committee shall not pay such teacher for services thereafter performed unless by vote of the district.

Also state and county certificates. 1876, No. 50, § 10.

SEC. 498. A town superintendent may, for any cause for which he may revoke a town certificate, annul for his term of office and the town of his residence only, the effect of a county or state certificate and by the same proceedings and with the same effect.

CHAPTER 30.

ORGANIZATION, OFFICERS AND MEETINGS OF SCHOOL DISTRICTS.

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Division of towns into districts. G. S. 22, § 20; R. S. 18, § 2; 1827, No. 23, § 2; R. 1797, p. 493, § 1; R. 1787, p. 136, § 1. 8 Vt. 402. 25 Vt. 311. 10 Vt. 480. 33 Vt. 219.

SEC. 499. When the inhabitants of a town can not be conveniently accommodated in one district, such town shall, at a meeting warned for the purpose, divide the town into several districts and determine their limits.

Districts to be numbered, &c. G. S. 22, § 21; R. S. 18, § 3; 1827, No. 23, § 2.

SEC. 500. The districts so formed shall be numbered from number one upwards, and shall be designated by the name of their respective numbers; and their numbers and descriptions, and alterations made therein, shall be recorded in the office of the town clerk.

District lying in two towns. G. S. 22, §§ 24, 25; 1845, No. 37, § 6; R. S. 18, § 5; 1827, No. 23, § 8; 1808, p. 54, § 1. 34 Vt. 156.

SEC. 501. Any number of inhabitants of adjoining towns may by a concurrent vote of such towns form the territory occupied by such inhabitants into one school district. A district so formed shall, for purposes of visitation, returns, and the examination of school teachers and for the adoption of text-books, be held to belong to the county and town in which the school-house is situated.

Which town to select text-books, &c. 1880, No. 95, § 2.

SEC. 502. Whenever it shall occur that the school-house is located partly in each town from which a fractional district

is composed, the town furnishing the greater number of scholars in said district shall have the precedence to select text-books and to examine teachers.

Districts, how organized. G. S. 22, §§ 22, 24; R. S. 18, §§ 4, 5; 1827, No. 23, §§ 7, 8; 1813, p. 154, § 1; R. 1797, p. 494, § 2; R. 1787, p. 136. 11 Vt. 607.

SEC. 503. When it is necessary to organize a school district, three or more voters of such proposed district may apply in writing to the selectmen of the town in which such district is located, or, if the district contains parts of two or more towns, to the selectmen of either town; and the selectmen shall call a meeting in such district by posting up a notice thereof, specifying the time and place and the business of the meeting, in one or more of the most public places in such district at least seven days before the time therein specified. One of the selectmen shall preside in the meeting until a moderator and clerk are chosen, when the district shall be held to be organized.

Organization, in gores and unorganized towns. G. S. 22, § 23; 1845, No. 35.

SEC. 504. The selectmen of a town, on the application of three or more voters in an adjoining unorganized town or gore, may organize, in the manner provided in the preceding section, as many school districts as are required in such unorganized town or gore, and may define their limits and number them from number one upwards; and the selectmen shall be paid a reasonable compensation for their services by the petitioners.

Setting persons to adjoining towns, &c. G. S. 22, §§ 27, 28; 1845, No. 34; R. S. 18, § 6; 1827, No. 23, § 8; 1826, No. 42. 8 Vt. 402. 33 Vt. 219. 10 Vt. 480. 34 Vt. 156. 21 Vt. 402. 37 Vt. 196. 25 Vt. 311. 41 Vt. 317.

SEC. 505. A town, by vote in town meeting, may set persons residing in the town to a school district in an adjoining town or gore, if such district, by vote, consents to receive them; and persons so united to a school district shall have the same rights and be subject to the same liabilities as the other inhabitants of the district, and as to taxation for school purposes shall be treated as belonging to such district.

Districts formed under previous law. G. S. 22, § 56; R. S. 18, § 24.

SEC. 506. A school district organized according to previous laws shall remain a legal school district, subject to the provisions of this title.

District to be corporation. G. S. 22, §§ 29, 31; R. S. 18, §§ 7, 8; 1827, No. 23, § 15.

SEC. 507. When a school district is organized it shall be a body politic and corporate, with the powers of a corporation for maintaining schools in such district, and by its corporate name may sue and be sued, and may take, hold and convey personal and real estate.

SCHOOL DISTRICT OFFICERS AND THEIR DUTIES.

Officers. 1872, No. 12; G. S. 22, §§ 32, 73; 1861, No. 11; 1854, No. 42; R. S. 18, § 9; 1830, No. 23; 1827, No. 23, § 7; 1809, p. 96, § 1; R. 1797, p. 494, § 2; R. 1787, p. 136. 11 Vt. 618. 23 Vt. 416. 20 Vt. 487. 32 Vt. 769. 20 Vt. 495.

SEC. 508. Each school district shall elect at its organization, and at each annual meeting thereafter, a moderator, clerk, collector of taxes, treasurer, one or three auditors, and a prudential committee consisting of one or three voters in such district; and the member of a prudential committee first elected shall be the chairman thereof. The term of office of such officers shall commence at the time of their election and continue until their successors are chosen.

Committee, how chosen. 1876, No. 47, § 1; 1868, No. 33, §§ 2, 3.

SEC. 509. A school district not otherwise directed by a special act of incorporation, may, at an annual meeting, elect a prudential committee of three persons, or, in the case of a union or graded school district, of three, six or nine persons, one-

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third of which number shall be chosen for one year, one-third for two years, and one-third for three years, and upon the expiration of the term of office of any member of such committee, may elect his successor for a term of three years; and may at an annual meeting fill a vacancy occurring in such board.

Town collector may be district collector.
G. S. 22, § 33; 1861, No. 12.

SEC. 510. A school district may elect the collector of town taxes, although he is not an inhabitant of the district, to be collector of school district taxes, if he will accept the office; and the town collector so elected and accepting, shall possess the powers and be subject to the duties imposed by law upon school district collectors.

Collector's bond.
1870, No. 18; 1867, No. 18, § 1.

SEC. 511. Collectors of taxes in school districts, before entering upon their duties, shall, if required by vote of the district or by the prudential committee, give bonds to the district for the faithful performance of their duties, in such sum as may be required.

His office, how vacated.
1870, No. 18; 1867, No. 18, § 2.

SEC. 512. If a collector neglects for ten days to give bonds, or refuses, upon the request of the prudential committee, to perform the duties of his office, the office shall be vacant.

Moderator.
1872, No. 12; G. S. 22, § 34; 1852, No. 38, § 1; R. S. 18, § 9; 1827, No. 23, § 7.

SEC. 513. The moderator shall preside at school district meetings. In case of his absence from a meeting a moderator may be chosen to preside at such meeting.

Treasurer; auditors.
1872, No. 12; G. S. 22, § 32; 1854, No. 42, § 1.

SEC. 514. The duties of school district treasurers and auditors shall be like those of town treasurers and town auditors.

Prudential committee.
1872, No. 17; G. S. 22, § 39; R. S. 18, § 11; 1827, No. 23, § 7; R. 1797, p. 494, § 2; R. 1787, p. 136.
20 Vt. 487. 37 Vt. 497. 24 Vt. 528. 37 Vt. 521. 30 Vt. 155. 38 Vt. 529. 33 Vt. 77.

SEC. 515. The prudential committee shall keep each schoolhouse in their district in good order, and if there is no schoolhouse shall provide a suitable place for each school; shall see that fuel and furniture and all appendages and things necessary for the school are provided; shall appoint and agree with a teacher to instruct the school, and remove him when necessary; and adopt requisite measures, not in conflict with those of the town superintendent, for the inspection, examination, regulation and improvement of the school.

To perform clerk's duties.
G. S. 22, § 36; 1846, No. 6.

SEC. 516. In the absence or disability of a school district clerk the prudential committee shall discharge the duties of clerk.

Clerk.
1876, No. 53; 1874, No. 39; G. S. 22, § 37; 1856, No. 37, § 1; R. S. 18, § 10; 1827, No. 23, § 7.

SEC. 517. School district clerks shall, within ten days after their election or appointment, give notice thereof and of the number of their district to their respective town clerks, and if they fail to do so, shall receive no compensation for their services. They shall keep a record of the votes and proceedings of school district meetings and certify the same when required; and if they, or the prudential committee acting in their place, wilfully neglect to do so, they shall forfeit twenty dollars to the district, to be recovered in an action on this statute.

Filling vacancies in offices.
1868, No. 36; G. S. 22, § 35; 1848, No. 37.
11 Vt. 618. 52 Vt. 110. 25 Vt. 503.

SEC. 518. When a vacancy occurs in the office of clerk, collector of taxes, treasurer or prudential committee of a school district, the selectmen of the town in which a plurality of the inhabitants of such district reside shall fill such vacancy until a new election is made, by the appointment of a resident of

such district; and the district at a special meeting may make a new election.

SCHOOL DISTRICT MEETINGS AND VOTERS THEREIN.

Meetings.
G. S. 22, §§ 41, 42; 1861, No. 11; 1858, No. 2; 1850, No. 40; R. S. 18, § 12; 1827, No. 23, § 7; R. 1797, p. 495, § 3; 1795, p. 10, § 2. 20 Vt. 487. 23 Vt. 416.

SEC. 519. The annual school meeting shall be held in each district on the last Tuesday in March, and shall be notified by the school district clerk, or, in case of his absence or neglect, by one of the prudential committee. Special meetings shall be appointed and notified in the same manner, on application in writing by three or more voters of the district.

Penalty for neglect to warn.
G. S. 22, § 58; R. S. 18, § 26; 1809, p. 96, § 2. 46 Vt. 90.

SEC. 520. If a person, whose duty it is to warn a school district meeting, neglects so to do for ten days after application made as prescribed by law, he shall forfeit, for the use of schools in such district, twenty dollars for each ten days' neglect, to be recovered in an action in the name of the district.

Warning.
G. S. 22, § 41; 1851, No. 28; R. S. 18, § 12; 1827, No. 23, § 7; R. 1797, p. 494, § 2; R. 1787, p. 136. 14 Vt. 300. 23 Vt. 416. 16 Vt. 439. 43 Vt. 207. 17 Vt. 337. 48 Vt. 599. 22 Vt. 309.

SEC. 521. Notices for school district meetings shall be posted up in one or more of the most public places in the district at least seven and not more than twelve days before the time appointed for such meeting, and shall specify the time and place of holding the same, and the business to be transacted or questions to be considered at such meeting.

"Meeting" construed.

SEC. 522. The word "meeting" as applied to school district meetings wherever used in this title, shall mean a school district meeting notified as provided in the preceding section.

Voters, who are; how determined.
1870, No. 17; 1868, No. 39; G. S. 22, § 29; R. S. 18, § 7; 1827, No. 23, § 7. 35 Vt. 632.

SEC. 523. Persons residing in a school district and qualified to vote in town meeting, shall be voters in school district meetings; and if a person offering to vote is challenged, the moderator at such meeting, the clerk and the members of the prudential committee present shall decide as to his right to vote.

Right of women.
1880, No. 103.

SEC. 524. Women shall have the same right to vote as men have in all school district meetings, and in the election of school commissioners in towns and cities, and the same right to hold offices relating to school affairs.

CHAPTER 31.

SCHOOL-HOUSES.

SECTION
525. District may vote tax to provide school-house.
526. Site, how determined.
527. Application to selectmen to fix site.
528. Selectmen to hear parties and fix site.
529. Application to selectmen when district fails to provide school-house.
530. Selectmen to hear parties and make order.
531. Proceedings when district fails to obey order.
532. Proceedings to be recorded; record to be evidence.
533. Proceedings when selectmen cannot agree on site.
534. Proceedings when owner refuses to convey land chosen.
535. Time given owner to remove buildings, fences, &c.
536. Selectmen's doings to be recorded.
537. Question of damages may be referred.
538. Petition to county court; appointment of commission.
539. Notice of hearing; power of court on report.
540. Opening of lands stayed; execution for damages.
541. Proceedings if lands mortgaged.
542. Title to vest after damages paid.
543. District may elect building committee.
544. District may sell school-house.

Tax to provide school-house.
1830, No. 16; G. S. 22, § 43; R. S. 18, § 13; 1827, No 23, § 10; R. 1797, p. 495, § 3; 1795, p. 9; R. 1787, p. 137.

SEC. 525. A school district may, in a district meeting, assess a tax on the district list to erect, repair or furnish a school-house, or to purchase or hire a building to be used as a school-house, and the lands necessary thereto.

Site, how fixed.
G. S. 22, § 44; R. S. 18, § 14; 1827, No. 23, §§ 10, 14.

SEC. 526. At such meeting the district may, by a vote of two-thirds of the voters present, determine in what place in the district the school-house shall be located. If two-thirds fail to agree upon such location, the selectmen of the town or towns in which such district is situated may, upon application of the prudential committee, determine such location.

Application to selectmen.
1876, No. 40, § 1.

SEC. 527. If the prudential committee neglect for five days so to apply to the selectmen, three voters of the district may apply in writing to such selectmen, stating the neglect of the prudential committee and petitioning the selectmen to fix upon a location.

Duty of selectmen.
1876, No. 40, §§ 2, 3.

SEC. 528. The selectmen so applied to shall forthwith give notice of a hearing in the same manner as school district meetings are required to be notified, and shall hear the petitioners and persons interested, and if the failure of the district to determine a location, and of the prudential committee to apply within the limited time, appears at such hearing, the selectmen so applied to shall determine such location, and shall make return of the application and their doings thereon to the district clerk who shall record the same.

Application when district fails to provide school-house.
1864, No. 60, § 1.

SEC. 529. If a school district neglects for two years to provide a suitable school-house, application may be made by three voters of the district to the selectmen of the town or towns in which such district is situated, and such selectmen shall appoint a time and place for hearing the applicants and persons interested, and shall cause such applicants to give notice to such school district of such application and of the time and place of hearing, which notice shall be served upon the district like a writ of summons at least twenty days before the time appointed for such hearing.

Hearing and order.
1864, No 60, § 2.

SEC. 530. If it appears at the hearing that the district is guilty of neglect as charged, and that the interests of education in the district so require, the selectmen shall order the district to provide a school-house, which order shall be served on the district like ordinary process in civil causes.

When district fails to obey order.
1864, No. 60, § 3.

SEC. 531. If the district neglects for six months after such service to provide a suitable school-house or to raise money therefor, the selectmen who made the order may provide such school-house and may assess a tax upon the district and make a rate bill for the amount required therefor; and said tax shall be collected by the town collector of the town in which the school-house is located, in the same manner as town taxes are collected, and shall be paid over to the selectmen and be used by them in providing a school-house.

Proceedings recorded; evidence.
1864, No. 60, § 4.

SEC. 532. The proceedings under the three preceding sections shall be recorded in the office of the clerk of the town in which the school-house is located, and copies of such record

certified by the clerk, with whom they were recorded, shall be evidence in the courts.

When selectmen can not agree. 1876, No 40, §§ 4, 5.

SEC. 533. When it devolves upon the selectmen to locate or build a school-house, if a majority of such selectmen can not agree upon a location therefor, they shall forthwith make a return of the application made to them and their failure to agree to the district clerk, who shall make a record of the same. In such case three or more voters of the district may apply in writing to an assistant judge of the county court of the county in which the greatest number of voters in the district resides, to determine the location of such school-house; and such judge shall give notice of a hearing, hear, determine the matter, and make return of his proceedings, and such proceedings shall be recorded, as provided in case of the location of a school-house by selectmen; and the assistant judge shall for his services be paid by the district three dollars a day and his expenses.

TAKING LANDS FOR SCHOOL PURPOSES.

When owner refuses to convey. 1878, No. 112, §§ 2, 3; G. S. 22, §§ 114, 115; 1860, No 3, § 1; 1859, No. 33; 1857, No. 58, § 1. 33 Vt. 271.

SEC. 534. When a school-house is located, and lands for such school-house and yards are needed, or when a district or town votes to purchase additional land for school purposes, if the owner of such lands refuses to convey the same to the district or town for a reasonable price, the selectmen of the town or towns in which the district is situated, on the application of the prudential committee in the case of common or union school districts, and without such application in the case of high or central school districts shall locate and set out the necessary lands, and cause the same to be surveyed; and shall appoint a time and place for a hearing and give notice thereof to persons interested in the land to be taken, either personally or by written notice left at the residence of the owner or occupant of such land; and at such hearing shall ascertain the damages sustained by such interested persons; and the damages assessed shall be paid or tendered to such persons before taking possession of the land.

Removal of buildings, &c. 1878, No. 112, §§ 4, 5. 43 Vt. 362.

SEC. 535. When the selectmen decide to take land, they shall, in their order for that purpose, fix a time and notify the owner or occupant thereof, within which he will be required to remove his buildings, fences, timber, wood, trees and wall, which, in case of enclosed or improved land shall not, without the consent of the owner, be less than three months, nor until the compensation for damages to such land, is tendered or paid; and if they are not removed within that time, the selectmen shall remove them, in the case of a high or central school district, at the expense of the town, or in case of a union or common school district, at the expense of said district.

Proceedings to be recorded. 1878, No. 112, § 6; G. S. 22, § 114; 1860, No. 3, § 1; 1857, No. 58, § 1.

SEC. 536. All orders and proceedings of the selectmen under the provisions of the two preceding sections, with the survey of the land taken, shall be recorded in the town clerk's office of the town in which the land lies.

Question of damages, may be referred. G. S. 22, § 116; 1860,

SEC. 537. If the owner of such land does not accept the damages awarded by the selectmen, the prudential committee

No. 3, § 3; 1857, No. 58, § 3.

of the district may agree with him to refer the question of damages to one or more disinterested persons, whose award shall be made in writing and shall be final.

Petition to county court.
G. S. 22, § 117; 1860, No. 3, § 4; 1857, No. 58, § 4.

SEC. 538. If a person interested in such land is dissatisfied with such location, or with the damages awarded by the selectmen, he may apply by petition to the county court at its next stated term, if there is sufficient time for notice, and if not, to the succeeding term, and any number of persons aggrieved may join in the petition. The petition, with a citation, shall be served on one or more of the prudential committee of the school district, at least twelve days before the session of the court, and the court shall appoint three disinterested commissioners to inquire into the convenience and necessity of such school-house, and the manner of its location, and of the necessity of such lands, and the amount required, and the damages sustained by the persons interested therein.

Notice of hearing; report.
G. S. 22, § 118; 1860, No. 3, § 5; 1857, No. 58, § 5.

SEC. 539. The commissioners shall give six days' notice to one or more of the prudential committee of the school district, of the time and place of making such inquiry, and hearing the parties; and on the report of the commissioners the court may establish or set aside such location, or such parts thereof as appears just, and may render judgment for the petitioner to recover against the school district such damages as appear to be just, and may tax costs as seems just for either party.

Opening of lands stayed; execution for damages.
G. S. 22, § 119; 1860, No. 3, § 6; 1857, No. 58, § 6.

SEC. 540. When such application is made to the county court the opening of the land surveyed and laid out by the selectmen shall be stayed until the decision of the court; and the court may fix the time for opening the same and the payment of damages, and if the damages are not paid within the time limited the court may award execution for the same.

When lands mortgaged.
G. S. 22, § 120; 1861, No. 10.

SEC. 541. If lands so required by a school district are encumbered by mortgage, the school district shall cause the same notice to be given to the mortgagee, or the assignee of the mortgage, required to be given to the owner; and the damage agreed upon, or otherwise determined, as specified in this chapter, shall be paid to the mortgagee or his assignee: but if the sum due on the mortgage is less than the damage, the amount due on the mortgage shall be paid to the holder, and the balance to the owner.

Title to vest, when.
G. S. 22, § 120; 1861, No. 10.

SEC. 542. When the damages finally awarded for lands so taken by a school district are paid to the persons entitled thereto, a valid title to such lands shall vest in the district or town for the purposes aforesaid.

[BUILDING COMMITTEE — SALE OF SCHOOL-HOUSE.]

Building committee.
G. S. 22, § 44; R. S. 18, § 14; 1827, No. 23, § 10.

SEC. 543. A school district may elect a committee to superintend the building, repairing or purchasing of a school-house and procuring the necessary furniture and utensils.

Sale of school-house.
1880, No. 96, § 1.

SEC. 544. A school district may at a meeting legally warned and holden by a two-thirds vote of the voters present at the meeting, and a majority of the grand list of said district, sell and dispose of its school-house and the land connected therewith.

CHAPTER 32.

ALTERATIONS IN SCHOOL DISTRICTS.

SECTION
545. Towns may alter districts.
546, 547. Fractional districts, how dissolved.
548. Parts after separation to be districts.
549. Parts not agreeing on division of property, judges to be applied to.
550. Judges to notify hearing, hear and determine matter.
551. Judges may sell property not divisible.
552. Judges may set school-house to district where situated.
553. If assessment not paid district may be sued
554. Judge, when disqualified.
555. Judges' return to be recorded.
556. Compensation of judges.
557. Debts due to and from district, not affected by alteration.

Towns may alter districts.
1878, No 114; G. S. 22, § 20; R. S. 18, § 2; 1827, No. 23, § 2; R. 1797, p. 493; R. 1787, p 136.
8 Vt. 402. 37 Vt. 196.
10 Vt 480. 41 Vt. 317.
23 Vt. 626. 44 Vt. 404.
25 Vt. 311. 46 Vt. 19.
33 Vt. 219.

SEC. 545. A town may, by vote in town meeting, divide, unite, or otherwise alter school districts therein situated. But there shall be no alteration in school districts unless the alterations asked for are plainly set forth in an article in the warnings for the annual town meetings.

Dissolving fractional districts.
1878, No. 116; 1868, No. 37; G. S. 22, § 53; R. S. 18, § 21; 1828, No. 18.
23 Vt. 626. 34 Vt. 384.
34 Vt. 156.

SEC. 546. Three or more voters in the fractional part of a school district formed from the territory of adjoining towns by the concurrent vote of such towns, or, one or more voters if so many as three do not reside in such fractional part, may, if they desire to dissolve such district, apply in writing to the selectmen of each of said towns to insert articles for that purpose in the warnings for the next annual town meetings; and the selectmen of each of said towns shall insert such articles in the warnings for such annual town meetings. At such meetings each town shall vote upon the question whether said district shall be dissolved; and if their votes are concurrent, the district shall be or be not dissolved, according to the decision of the towns.

On application to county court.
1878, No. 116; G. S. 22, §§ 53, 54; R. S. 18, §§ 21, 22; 1828, No. 18.

SEC. 547. If the votes of the town are not concurrent, three voters, or a less number as provided above, may apply to a judge of the county court of the county in which the school-house is located, who shall appoint three justices of the same county, not inhabitants of either town in interest, to decide in the matter. And such justices shall, if it seems to them expedient, order such district to be dissolved, and shall make and file a certificate thereof in the office of the town clerk of each town interested, to be recorded; and shall order a distribution of the property belonging to such district, to the inhabitants thereof residing in the several towns, and may order the payment of such damages by or to, the inhabitants of either town, as are just.

Parts may organize.
G. S. 22, § 55; R. S. 18, § 23.

SEC. 548. The inhabitants of each town after the separation may organize themselves into a school district, and may receive, recover and take care of such damages as are awarded to them by the justices.

Division of property; application to judges. 1872, No. 13, § 1.

SEC. 549. When a school district is divided into two or more districts, by vote of the town or towns in which it is located, and said districts cannot agree upon a division of their corporate property, the clerk of the district so divided shall, or in his absence, or inability, or refusal to act, a tax-payer in either portion of said district may apply to the assistant judges of the county court of the county in which the school-house is situated.

Judges to give notice, hear and award. 1872, No. 13, § 2.

SEC. 550. The judges shall, upon such application, within a reasonable time, give notice by posting upon the school-house in the original district, and in one other public place in each of said new districts, a notification, at least twenty days prior to the time set for hearing, stating the time when and the place where they will examine the property and hear the parties interested in the division of such property, and upon such hearing, shall make a just division of the property and assets of such original district, including taxes voted but not collected, between said new districts.

Property not divisible to be sold. 1872, No. 13, § 3.

SEC. 551. When the property of such district is such that it cannot be divided between the new districts, said judges may sell the same, and execute therefor deeds and writings necessary for a proper transfer thereof, and such deeds and writings when recorded in the town clerk's office of the town where such property is situated, shall pass the title thereof to the purchaser; and the judges shall make a just division of the proceeds of such sale between the new districts.

Buildings may be set to district where situated. 1872, No. 13, § 4.

SEC. 552. When a part of the property of the original district consists of a school-house or other buildings, or buildings and land, which can be used beneficially by one of the new districts, said judges may set the same to the new district in which the buildings or land are situated, and may assess upon the district to which such lands and buildings are set such sum therefor as appears just, and may order the same to be paid to such other new district or districts, in such time and manner as they direct.

If assessment not paid, district to be sued. 1872, No. 13, § 8.

SEC. 553. If the district so assessed shall, for six months, neglect to pay to the district entitled to the same the sum so assessed and ordered to be paid, the district to which said sum is awarded may recover the same, in an action on the case, founded on this statute.

Judge, when disqualified. 1872, No. 13, § 5.

SEC. 554. If either of said judges resides or owns real estate in such divided district, he shall not act, and the other of said judges shall have the powers and perform the duties before provided for both of said judges.

Judges' return; to be recorded. 1872, No. 13, § 6.

SEC. 555. When said judges have completed such division, they shall make return of their doings to the town clerk of the town or towns in which the original district is located, stating the property divided, the manner of the division and the names of the persons to whom sold; and when the same consists of real estate, it shall be described by metes and bounds; and the return shall be recorded in said town clerk's office.

SEC. 556. The charges of the judges in making such division shall be borne by such new districts in such proportions as the judges determine and certify in their return; and each of such districts shall be liable to pay the sum so certified, to be recovered in the names of the said judges in an action on the case founded on this statute.

Judges' fees.
1872, No. 13, § 7.

SEC. 557. No alterations in or union of school districts shall dissolve or merge such districts until the debts and liabilities due to or from such districts have been settled and paid. Rights of action, in favor of or against such districts, may be enforced as though such school districts had not been changed, and the officers of the district at the time of such change shall continue in office with such powers as may be necessary in respect to the service of process, calling district meetings, settling claims in favor of and against the district, levying, assessing and collecting taxes to pay liabilities, and fully closing up the concerns of such districts, until all debts and claims of such districts are settled and paid.

Debts to and from district not affected by alterations.
1868, No. 38.
49 Vt. 7.

CHAPTER 33.

MAINTENANCE OF SCHOOLS.

SECTION
558. School to be kept in each town; studies required.
559. District may vote tax to support school.
560. When school must be kept; application to selectmen.
561. Duty of selectmen when applied to.
562. Right of district to public moneys.
563. What selectmen applied to where district lies in two towns.

SEC. 558. One or more schools shall be maintained in each town for the instruction of the young in reading, writing, spelling, English grammar, geography, arithmetic, free-hand drawing, history and constitution of the United States, and good behavior; and special instruction shall be given in the geography and history, constitution and principles of government of Vermont.

School to be kept; studies required.
1876, No. 48; G. S. 22, § 19; R. S. 18, § 1; 1827, No. 23, § 1; R. 1797, p. 493, § 1.
32 Vt. 224.

SEC. 559. Each district may by vote in district meeting assess a tax upon the district list for the support of schools therein.

Tax for its support.
1870, No. 16; G. S. 22, § 43; R. 18, § 13; 1827, No. 23, § 10; R. 1797, p. 495, § 3; 1795, p. 9; R. 1787, p. 137.
23 Vt. 416.

SEC. 560. Each school district shall provide for the instruction of the legal scholars in the district in the branches required by law, for ten consecutive weeks between March 1st and September 1st and for ten consecutive weeks between September 1st and March 1st, annually; and if a district does not between March 1st and June 1st provide for the commencement of such first mentioned term of instruction, or does not between September 1st and December 1st provide for the commencement of such second mentioned term of instruction, or discontinues the opportunities of instruction in either case

When to be kept; application to selectmen.
1880, No. 98, § 1.

before the expiration of the term during which instruction is required to be provided by law, any voter of the district may apply by petition in writing, setting forth the neglect of the district, to the selectmen of the town in which such district is.

Selectmen's duty.
1880, No. 98, § 2; 1870, No. 14; 1866, No. 5; G. S. 22, §§ 30, 40; 1860, Nos. 1. 4; 1859, No. 32.

SEC. 561. When application shall be made as provided in the first section of this act [§ 560], it shall be the duty of the selectmen to fix a time for hearing thereon, not less than six nor more than ten days from the presentation of the petition, which shall be served upon the committee of the district, if the district has elected officers.

If the selectmen, upon the hearing, determine that the facts set forth in the petition are true they shall forthwith declare the offices in the district vacant, if the district has elected officers, and shall make provision for the instruction of the legal scholars of the district, either in the district or elsewhere, at the times and for the length of time prescribed in the preceding section, and may without vote of the district assess a tax upon the grand list of the district sufficient to defray the expense of such instruction, including the general expenses of the scholars if they are sent out of the district, and shall make a rate bill therefor. The town collector shall collect such tax, and in such collection shall have the same powers and be subject to the same liabilities as in the collection of town taxes. The moneys collected shall be paid over to the selectmen, who shall defray therewith, and with other moneys coming to their hands appropriated to such district, all expenses incurred in providing instruction for the legal scholars of the district.

Right to public moneys.
1880, No. 98, § 3.

SEC. 562. If the instruction furnished by the selectmen, in case application is made to them, together with that furnished by the district, if any, before petition is had to the selectmen, equals in any year the amount of instruction required by law to be furnished to the scholars of a district, such district shall be entitled to its share of the public moneys divided equally among the districts, and to so much of the moneys divided according to the aggregate attendance, as the selectmen think to be the fair proportion of the district.

When district lies in two towns.
1880, No. 98, § 5.

SEC. 563. In case of a district lying in two or more towns, the application provided for in section one of this act [§ 560] shall be had to the selectmen of the town in which a plurality of the inhabitants of such district reside.

CHAPTER 34.

SENDING CHILDREN TO SCHOOL OUT OF THE DISTRICT IN WHICH THEY RESIDE, AND TO ACADEMIES.

SECTION
564, 565. District may send scholars to adjoining district.
566. School directors may send scholars to adjoining town.
567. District may send scholars to adjoining district out of state.
568. District may send scholars to academy.
569. Limitation of contract.
570. District's right to public money in such case; how ascertained.

SEC. 564. Where a school district is so situated as to be conveniently accommodated for school purposes in a neighboring school district or districts, it may, by a two-thirds vote of the voters present at a meeting legally warned for that purpose, authorize the prudential committee to arrange for sending its legal scholars to the schools of such neighboring district or districts, for not more than twenty-six weeks in a school year, and may also by a two-thirds vote pay a reasonable sum for the transportation of such scholars to and from school.

District may send scholars to adjoining district. 1880, No. 94, § 1; 1876, No. 45, § 1.

SEC. 565. If such scholars are provided with not less than twenty weeks' schooling within the school year, including that in the district of their residence, such district shall be held to have supported a school for the twenty weeks required by law, and may assess and collect a tax to defray the expenses of such schooling, and for the transportation of the scholars.

District when deemed to have supported school. 1880, No. 94, § 2; 1876, No. 45, § 1.

SEC. 566. The board of school directors of a town using the town system of schools, may provide for the schooling of any legal scholars of the town in the public schools of an adjoining town if the parents or guardians of the scholars consent, and may pay for the schooling from the school moneys of the town.

School directors may send scholars to adjoining town. 1876, No. 47, § 2.

SEC. 567. When a school district is so situated as to be most conveniently accommodated for school purposes in a school district in an adjoining state, such school district may, at a district meeting, authorize the prudential committee to arrange with the school officers of such adjoining district for the schooling of the legal scholars of such district in this state, for not more than twenty-six weeks in a school year; and if such scholars are provided with not less than twenty weeks' schooling within the school year, such district shall be held to have supported a school, and may assess and collect a tax to defray the expenses of such schooling, and shall be entitled to its share of the public moneys.

District may send scholars out of state. 1872, No. 11.

SEC. 568. A school district which is within a town in which an academy is located, may, at a district meeting, not less than seven nor more than twelve days notice thereof being given, direct its prudential committee to make an arrangement with the officers of the academy to instruct in said academy all or part of the scholars belonging to such district in the studies required by law to be taught in the common schools, and such other branches as are provided by law to be taught in the graded schools.

Sending scholars to academy. 1880, No. 97, § 1; 1876, No. 42; 1869, No. 9, § 1.

SEC. 569. No contract so made by a district with the officers of an academy shall be binding on the district for more than two years, and may at any time be modified by legislation; and no such contract shall release a district from the obligation to provide for the instruction of all the legal scholars of the district for the full time required by law.

Limitation of contract. 1880, No. 97, § 2; 1869, No. 9, § 2.

SEC. 570. In calculating the share of the public moneys which a district is entitled to receive, the attendance of any scholar upon an academy, as provided in the preceding sections, shall be treated as an attendance for an equal length of

District's right to public money, how ascertained. 1880, No. 97, § 3; 1869, No. 9, § 3.

time upon a public school maintained by the district; and it is hereby made the duty of the officers of such academy to cause to be kept a correct record of the attendance of those scholars upon the academy, so arranged for by the several districts, and cause the same to be returned to the selectmen of the town wherein such districts are located on or before the twentieth day of March of each year, and if the officers of such academy shall neglect to cause such record to be kept and returned as required by this section, properly certified to by the principal teacher of such academy, then both the officers and teachers of such academy shall forfeit their right to collect the tuition of the scholars so arranged for under the provisions of section one of this act [§ 568].

CHAPTER 35.

GRADED, CENTRAL AND UNION SCHOOLS.

SECTION
571. Graded schools.
572. District high schools.

UNION DISTRICTS.
573. Formation; powers.
574. Schools to be maintained in uniting districts; admission to union school regulated.
575. District meetings.
576. Officers.
577. Prudential committee, how formed.
578. Districts, how to unite with or withdraw from union.

TOWN HIGH OR CENTRAL SCHOOLS.
579. Formation; powers.
580–584. Prudential committee; election; vacancies; duties.
585. Treasurer; collector.
586. Purchasing land for school-house.
587. Tuition.
588. Tax for supporting school.

GRADED SCHOOLS.

Graded schools. 1876, No. 44.

SEC. 571. A school maintained by a town or school district for not less than thirty weeks each year, and consisting of four or more departments, taught by four or more teachers, having an established course of study, and having all the departments under the control of one principal teacher, shall be a graded school, and entitled to the privileges granted by law to graded schools. And a school district supporting such a school shall be a graded school district and entitled to the privileges of graded school districts.

DISTRICT HIGH SCHOOLS.

District high schools. G. S. 22, §§ 61–65; 1844, No. 5.

SEC. 572. If the children of a school district are so numerous as to require more than one teacher, the district may, at a district meeting, vote to erect as many school-houses and to provide as many teachers as are necessary, and may fix the location of such school-houses; and may direct the sciences or higher branches of study to be taught in one of such schools. The prudential committee or a committee chosen for that purpose may examine as to the ages and qualifications of the children of the district and designate the school which each shall

attend, and may prescribe the terms upon which children not residing in the district may attend the higher school.

UNION SCHOOLS.

Formation; powers. G. S. 22, §§ 66, 68, 72; 1841, No. 23, §§ 1, 2, 5.

SEC. 573. Contiguous school districts may form a union district, for maintaining a school for the benefit of the older children of such districts, if the voters of each district by a two-thirds vote, at a district meeting, agree to form such union. A district so formed shall assume a corporate name and be a corporation, with the powers and liabilities of common school districts; may, like common school districts, raise money for providing a school-house and all things necessary thereto, and for maintaining a school; and the same proceedings shall be had in locating a school-house as provided in the case of common school districts.

Schools kept in uniting districts; union school, who may attend. G. S. 22, § 74; 1841, No. 23, § 7.

SEC. 574. The schools in each of the associate districts shall be maintained as if no union district had been formed, and only such scholars shall be admitted to the union school as are of the age and possess the qualifications prescribed by the prudential committee of the union district.

Union district meetings. G. S. 22, §§ 69, 71; 1859, No. 34; 1841, No. 23, § 3.

SEC. 575. The first meeting of a union district shall be called in such manner, and at such time and place, as may be agreed upon by the associate districts at the time of forming the union. The annual meeting shall be held on the first Wednesday after the last Tuesday in March.

Officers. 1868, No. 33, §§ 2, 3; 1863, No. 24; G. S. 22, §§ 70, 75; 1850, No. 41; 1841, No. 23, § 4.

SEC. 576. The officers of a union district shall be a moderator, collector, treasurer and clerk, who shall be elected at each annual meeting; and such district may elect a prudential committee of three, six, or nine persons, as provided in section four hundred twenty-nine [§ 509]. A clerk shall be elected by ballot at the first meeting. Union district officers shall hold office until their successors are elected; and shall have the same powers and perform the same duties as the same officers in common school districts.

Committee, how formed. G. S. 22, § 73; 1858, No. 1, § 10.

SEC. 577. If the prudential committee are not elected as provided in the preceding section, the chairmen of the prudential committees of the districts composing the union districts shall constitute the prudential committee of the union district; and when the union district is formed of an even number of common school districts, the union district shall elect an additional member to such committee, who shall be a resident of the union district and shall hold office for one year and until his successor is elected.

Uniting with or withdrawing from union. G. S. 22, §§ 76, 77; 1852, No. 37.

SEC. 578. One of the districts composing a union district may withdraw from such union by a concurrent vote of two-thirds of the district desiring to withdraw, and two-thirds of the remaining portion of the union district, at meetings warned for that purpose; and a contiguous district may join a union district by a concurrent vote of two-thirds of such contiguous district and two-thirds of such union district, at meetings warned for that purpose.

TOWN HIGH OR CENTRAL SCHOOLS.

Formation; powers.
1878, No. 112, § 1; 1869, No. 10; 1867, No. 16, §§ 1, 7.

SEC. 579. A town may at the annual town meeting establish one or more high or central schools for advanced pupils of the several districts in the town, and, if they so vote, shall, at a meeting warned for that purpose, fix the boundaries of such high or central school districts; and towns providing high or central schools shall have the powers of union districts.

Committee, election of.
1880, No. 99, § 1; 1867, No. 16, § 2.

SEC. 580. When a town votes to establish a high or central school or schools it shall, at the same meeting at which such vote is passed, elect a prudential committee of three persons, for each high or central school district, one member of which committee shall be elected for three years, one for two years, and one for one year, from the first day of July next following their election; and such committee first chosen shall also hold office from the day of their election until the first day of July next following.

Towns to elect in 1881.
1880, No. 99, § 2.

SEC. 581. Towns which have established high or central schools shall at the annual town meeting in 1881 elect such a committee.

Election of successors.
1880, No. 99, § 3.

SEC. 582. At each annual town meeting after the one at which a committee is first elected under the provisions of the two preceding sections, the town shall elect a successor to that member of the committee whose term expires that year; and the term of office of the person so chosen shall commence on the first day of July next following his election, and continue for three years.

Vacancies.
1880, No. 99, § 4.

SEC. 583. A vacancy in a prudential committee elected under the provisions of the three preceding sections, may be filled by the committee, or, if the committee fails to fill the vacancy within thirty days after it occurs, by the selectmen of the town. The person appointed to fill the vacancy shall hold office for the remainder of the term for which the person in whose office the vacancy occurred was elected or appointed, or until such town shall fill such vacancy.

Duties of committee.
1880, No. 99, § 5; 1867, No. 16, § 2.

SEC. 584. The duties of the prudential committee of a high or central school district shall be the same as those of the same officers in union districts.

Treasurer and collector.
1878, No. 112, § 1; 1867, No. 16 § 3.

SEC. 585. The town treasurer and town collector shall be treasurer and collector of high or central school districts with the powers and duties of similar officers in common school districts.

Purchasing land for school-house.
1878. No. 112.

SEC. 586. When a town, by vote in a meeting warned for that purpose, fixes upon the location for a high or central school-house, or votes to purchase additional lands therefor, the selectmen shall purchase such lands; and if they fail to agree with the owner upon a compensation for the same, the same proceedings shall be had as in such case provided in purchasing land for a common school.

Tuition.
1869, No. 10; 1867, No. 16, § 4.

SEC. 587. Each pupil attending a high or central school shall pay a certain sum per term for tuition, which shall be fixed by the prudential committee at the beginning of the term,

and shall not be altered during its continuance; and said committee may prescribe terms upon which non-residents shall be admitted to such school.

SEC. 588. If the sums received from tuition are not sufficient to maintain such school for the length of time fixed by the prudential committee, the committee may assess a tax on the district list of such high or central school district, for the balance required, and issue a warrant to the town collector to collect the same.

Tax for support of school. 1869, No. 10.

CHAPTER 36.

TOWN SYSTEM.

SECTION
589. Abolishment of districts.
590. Disposal of district property.
591, 592. Proceedings as to school-house of fractional district.
593. Town to pay award in sixty days.
594. School directors; election; vacancies.
595. Chairman; election; duties.
596. Clerk; appointment; duties.
597. School directors; duties.
598. May take students from other towns.
599. Directors' report.

SECTION
600. Directors' compensation.
601. Selectmen to assess tax.
602. Duties of treasurer.
603. School-houses.
604. When two-thirds vote required to adopt system.
605. Town may abolish town system.
606. Districts restored.
607. To receive former property.
608. Town meeting to elect superintendent and clerk; clerks to call meetings, &c.

MODE OF ABOLISHING SCHOOL DISTRICTS, AND DISTRIBUTING DISTRICT PROPERTY.

SEC. 589. A town may at its annual meeting abolish the school district system in such town; and the selectmen of a town shall insert an article for that purpose in the warning for the annual meeting upon the application of three voters in the town. When a town so votes the school districts therein shall, after the first day of the next April, cease to exist except for the purpose of settling their pecuniary affairs.

Abolishment of districts. 1870, No. 10, §§ 1, 4.

SEC. 590. The school-houses and the property belonging to such districts shall be appraised by three persons, to be appointed by the assistant judges of the county court for the county, and the amount of such appraisal shall stand to the credit of the several school districts respectively, to be adjusted, allowed and equalized between such districts by applying such valuations upon the taxes thereafter assessed, under the provisions of this chapter, upon the grand list of the several school districts; and such school-houses, and other property, shall become the property of such town.

Disposal of district property. 1870, No. 10, § 4.

SEC. 591. When a town, which contains a fractional part of a district formed of parts of two or more towns, adopts the town system, such town shall, if the school-house of such district is situated in such town, take possession thereof and of the school apparatus, land and other property of the district; and the selectmen of the towns in which the district is located

School-house of fractional district, how taken. 1870, No. 10, § 10.

shall forthwith appraise such property, and determine what proportion is owned by the inhabitants of towns other than that in which the school-house is situated.

Application to county court if towns disagree. 1870, No. 10, §§ 10, 11.

SEC. 592. If the said boards of selectmen cannot agree as to the apportionment, the same shall be determined by three commissioners, who shall be appointed by the assistant judges of the county court of the county, upon application by the selectmen of the town adopting the town system. If said towns are situated in different counties, then the same shall be appraised and apportioned by five commissioners, three of whom shall be appointed by the assistant judges of the county court of the county in which the town asking such commission is situated, and two by the county court of the county where the adjoining town is situated. The commissioners shall not be residents of either of such towns. They shall receive the same pay as road commissioners for their services, and shall, within ten days after such appraisal, file their reports in the town clerk's office of each of said towns; and the expense of such commission shall be defrayed by the town asking the same.

Award to be paid in sixty days. 1870, No. 10, § 12.

SEC. 593. The town taking property of fractional districts, shall, within sixty days after such appraisal of the selectmen, or the filing of the report of the commissioners, pay to the treasurers of adjoining towns the amount apportioned to the inhabitants of such towns.

BOARD OF SCHOOL DIRECTORS.

School directors; election; vacancies. 1870, No. 10, §§ 2, 3.

SEC. 594. If a town votes to abolish the district system it shall, at the same meeting, elect a board of three or six school directors, citizens of such town, one-third of whom shall be elected for one year, one-third for two years, and one-third for three years from the close of the school year. At each annual town meeting thereafter the town shall elect successors to those directors whose term of office expires that year, and the term of office of directors so chosen shall commence at the close of the school year and continue for three years. A vacancy in the board may be filled by the selectmen until the next annual town meeting when the town shall elect a director for the remainder of the unexpired term. All directors, whether elected or appointed, shall hold office until their successors are elected.

Chairman; election and duties. 1870, No. 10, § 5.

SEC. 595. The board of school directors shall, on or before the first day of April in each year, elect one of their number chairman who shall have the powers and be subject to the duties of town superintendents.

Clerk; appointment and duties. 1870, No. 10, § 6.

SEC. 596. The board of school directors shall, on or before the first day of April in each year, appoint a clerk, not one of their number, who shall keep a permanent record book in which he shall record the proceedings of the board; and he shall make the returns to town clerks required by law to be made by school district clerks, and shall receive the same compensation therefor.

SEC. 597. The board of school directors shall be sworn, and shall have the care of property belonging to the public schools of the town, shall prescribe the number of schools, employ teachers and fix their compensation, have the management of the public schools, examine and allow claims arising therefrom, and draw warrants for the payment of such claims upon the town treasurer, and in general shall have the powers and perform the duties of the prudential committee and clerk of a school district. They may establish graded schools and provide for the instruction of scholars in the higher branches, and may make regulations, not inconsistent with law, for carrying the powers granted them into effect. School directors; duties. 1876, No. 46; 1870, No. 10, § 7.

SEC. 598. The board of school directors may receive students from other towns into the schools upon such terms as they deem proper, and moneys received from such students shall be paid into the school fund of the town. May take students from other towns. 1870, No. 10, § 9.

SEC. 599. The board shall at each annual town meeting make a report to the town of their proceedings for the last school year, and present an exhibit of warrants drawn by them for the use of schools. Directors' report. 1870, No. 10, § 13.

SEC. 600. The chairman of the board shall receive from the state treasury the same compensation as town superintendents, and from the town treasury such sum as the town votes to pay him. The compensation of other members of the board shall be fixed by the town at the time of their election and be paid out of its treasury. Compensation. See §§ 460, 4540. 1876, No. 46; 1870, No. 10, §§ 5, 7.

ANNUAL TAX; DUTIES OF TREASURER; SCHOOL-HOUSES.

SEC. 601. The selectmen of a town using the town system shall annually appropriate for the use of schools in such town a sum not exceeding one-half nor less than one-fourth of the grand list of such town, and shall assess a tax annually to defray such appropriations. Selectmen to assess tax. 1870, No. 10, § 8.

SEC. 602. The treasurer of such town shall keep a separate account of the moneys appropriated or given for the use of schools, and shall pay, out of such moneys, warrants drawn by the board of school directors for the use of schools. Duties of treasurer. 1870, No. 10, § 8.

SEC. 603. Such town shall provide and maintain suitable school-houses, and the location, construction and sale of the same shall be under the control of the board of school directors. School-houses. 1870, No. 10, § 8.

RESTRICTION IN CASE OF CERTAIN DISTRICTS.

SEC. 604. The foregoing provisions of this chapter shall not apply to graded school districts which have been incorporated by act of the legislature, unless accepted by a vote of two-thirds of the voters therein, nor to a district formed by the concurrent votes of two or more adjoining towns without the concurring votes of each of said towns consenting thereto. When two-thirds vote required to adopt system. 1870, No. 10, § 14.

MODE OF ABOLISHING TOWN SYSTEM.

SEC. 605. A town having abolished its school district system in pursuance of law may at any fifth annual town meeting Mode of abolishing system. 1878, No. 115; 1876,

No. 41, § 1; 1872, No. 9, § 1.

thereafter abolish its town system of schools by a vote of a majority of the legal voters present, and the selectmen of such town shall insert an article for that purpose in the warning for any fifth annual town meeting after such town has abolished its school district system, upon the application in writing of twenty legal voters in such town.

Districts restored.
1872, No. 9, § 2.

SEC. 606. When a town abolishes its town system of schools, the town shall be divided into the same number of school districts, with the same limits and boundaries, and the districts shall be designated by the same numbers, and shall have the same powers and be subject to the same duties and liabilities, as before they were abolished by said town.

To receive former property.
1876, No. 41, § 2; 1872, No. 9, § 4.

SEC. 607. When a town votes to abolish the town system of schools, the school-houses and other property formerly belonging to the school districts, shall become the property of the same school districts respectively, and the selectmen of said town shall fix upon the amount of credits upon its taxes that each of said districts has received, by reason of valuation and equalization of school property, and expenses in building or repairing school-houses in the limits of said districts under the town system, according to the provisions of section five hundred four [§ 590]; and said selectmen shall equalize the same upon the grand lists of the several districts, when so restored to the district system, so that each district shall own its school property as before the adoption of the town system; and the selectmen shall assess a tax on the grand lists of the several school districts, and cause the same to be collected to carry out the provisions of this section.

Town to elect superintendent and clerks; first meeting.
1872, No. 9, § 3.

SEC. 608. At the annual town meeting, at which the town system of schools is abolished, the voters shall elect a town superintendent of common schools; also a clerk for each school district, who shall be a voter in such school district. And such clerk shall call the first meeting of said school district, which shall be held on the last Tuesday of March next succeeding said town meeting, by posting up notice as provided by law for holding the annual meetings in school districts; and said school district may at this meeting elect officers for the year ensuing, and do any business that school districts may do at their annual meetings.

CHAPTER 37.

TEXT-BOOKS.

SECTION		SECTION	
609.	Text-book committee.	613.	Price of books, how collected of parent.
610.	Their duty; printing and distribution of report.	614.	Towns may purchase books.
611.	Only books recommended to be used.	615.	Selection made in 1879 to be in force.
612.	Scholars to be supplied with books.		

Text-book committee.
1878, No. 122, §§ 1-4; 1874, No. 33, § 1;

SEC. 609. There shall be in each town a text-book committee which, in towns using the district system, shall be com-

posed of two inhabitants of the town to be chosen at the annual town meeting in 1884 and every fifth year thereafter, and of two inhabitants of each graded school district in the town, to be chosen in the same years by such districts, and of the town superintendent. In towns using the town system of schools, the board of school directors for the year in which a selection of text-books is to be made shall be the text-book committee. Vacancies in a text-book committee may be filled as vacancies in the office of town superintendent are filled. 1872, No. 14; 1866, No. 2; G. S. 22, § 7; 1862, No. 8; 1858, No. 1, § 11; 1849, No. 14, § 5; 1845, No. 37, § 5; 1833, No. 19, § 1; 1827, No. 23, § 4.

SEC. 610. The text-book committees shall select and recommend text-books for use in their respective towns, one book of a grade, on the subjects required by law to be taught in the common schools, giving preference to books in use; and if a change is recommended shall decide how such change shall be made; and shall file a report with the town clerk on or before the first day of August following their election. During said month of August the town superintendent shall procure the printing and distribution of said report to the families in the town, and shall charge for the printing of the same in his account, but not to exceed one dollar per hundred copies. **Their duty; printing and distributing report.** 1878, No. 122, §§ 5, 6.

SEC. 611. The books recommended by the text-book committee shall be the books to be used in the public schools from the first day of November following the publication of the recommendation until another recommendation is made; and the use in public schools of any other text-books than those recommended, except as books of reference, shall be unlawful. **Only books recommended to be used.** 1878, No. 122, § 7.

SEC. 612. If a pupil in a public school is not provided with the requisite text-books, the prudential committee or school board shall notify his parent, master or guardian thereof; and if they fail to supply such pupil within one week after such notice, the prudential committee or school board shall supply him; and if such committee fails to supply such pupil within two weeks after his enrollment the town superintendent shall supply him. **Scholars to be supplied with books.** 1870, No. 15, §§ 1, 2; 1868, No. 33, § 4.

SEC. 613. The prudential committee, school board, or town superintendent shall give notice in writing to the listers of the names of pupils supplied by them, the prices of the books supplied and the names of such pupils' parents, masters or guardians; and the listers shall add to the next annual tax of such parents, masters or guardians the price of such books, or may omit to add a part or the whole of such amount, if such parent, master or guardian is unable to pay the same. And the amount so added shall be levied, collected and paid into the treasury like other town taxes. **Price of books, how collected of parent.** 1870, No. 15, §§ 3, 4.

SEC. 614. Towns may purchase and hold text-books for use in their schools, if the town so votes in a meeting warned for that purpose. **Towns may purchase books.** 1878, No. 122, § 9.

SEC. 615. The selection of text-books made in pursuance of law in the year 1879 shall be binding upon schools in accordance with the provisions of law then existing until a new selection of text-books is made in pursuance of this chapter. **Selection of 1879 in force.**

CHAPTER 38.

REGISTERS AND RETURNS.

SECTION
616. State superintendent to prescribe form of register.
617. To furnish copies to town superintendents.
618. Town superintendents to receipt or notify of failure to receive.
619. District clerks to obtain registers.
620. Teacher to procure, fill out and return register.
621. Clerk to certify to register; certificate entitles teacher to pay.
622. Clerks to fill out and return registers to superintendent.
623. Town superintendent to fill out and return to town clerk.
624–626. Returns for fractional district.
627. Town superintendent to forward statistics to state superintendent.
628. Returns by academies and grammar schools.
629. By certain graded schools.

Form of register.
1878, No. 117, § 6; 1874, No. 33, § 4; 1872, No. 18, § 2; G. S. 22, § 109; 1858, No. 1, § 7.

SEC. 616. The state superintendent shall prescribe blank forms for a school register for keeping a record of the daily attendance of children upon the school, and containing printed interrogatories for procuring the statistical information required to be given by teachers, district clerks and town superintendents, and for procuring such further information as he thinks desirable.

Copies furnished to town superintendents.
1874, No. 33, § 4; 1872, No. 18, § 2; G. S. 22, § 109; 1858, No. 1, § 7.

SEC. 617. The state superintendent shall annually in the month of January, furnish to town superintendents a sufficient number of such registers to supply the schools in their respective towns.

Town supt. to receipt; notice of failure to receive.
1874, No. 33, § 4; 1872, No. 18, § 2; G. S. 22, § 109; 1858, No. 1, § 7.

SEC. 618. A town superintendent on receiving such registers shall immediately forward to the state superintendent a receipt therefor, and if he fails to receive such registers before the first day of February he shall immediately notify the state superintendent, who shall supply the deficiency forthwith.

District clerks to obtain registers.
1876, No. 52, § 1; 1874, No. 33, § 4; 1872, No. 18, § 2; G. S. 22, § 109; 1858, No. 1, § 7.

SEC. 619. Each district clerk shall annually on or before the first week in March procure of the town superintendent a register for each school in his district, and shall be responsible for the safe keeping thereof.

Teacher to procure, fill out and return register.
1878, No. 117, § 1; 1865, No. 30; 1864, No. 58; G. S. 22, § 110; 1858, No. 1, § 8.
50 Vt. 30.

SEC. 620. Teachers of common or union schools shall, before commencing school, procure a register from the clerk of the district, and shall keep therein, in the prescribed form, a record of the daily attendance of each scholar, and shall enter therein correct answers to the interrogatories addressed to teachers, and shall lodge such register with the district clerk before the twentieth day of March.

Clerk's certificate.
1867, No. 19; 1865, No. 30; G. S. 22, § 110; 1858, No. 1, § 8.
50 Vt. 30.
The section which preceded this in the Revised Laws, as passed, was made up of a session law expressly repealed by 1880, No. 94, § 3; and has been struck out.

SEC. 621. A district clerk shall, when a register is delivered to him as provided in the two preceding sections [§ 620], examine the same, and if he finds that said register is filled out as required by law, and properly certified to by the teacher, he shall so certify; and the teacher shall not be entitled to his wages, except on presentation of said certificate of the district clerk to the prudential committee of the district in which the school has been taught.

Clerk to fill out and return register.
1878, No. 117, § 1;

SEC. 622. School district clerks shall comply with the requirements made of them in the registers delivered to them

by the teachers, and shall file the same in the office of their respective town superintendents on or before the twentieth day of March in each year. 1864, No. 58; G. S. 22, § 110; 1858, No. 1, § 8.

Town supt. to fill out and return register.

SEC. 623. The town superintendent shall enter in each register the name of each teacher of the school for the school year, and the date and origin of such teacher's certificate or license; and if he finds from the register that the district has supported for the time required by law a school kept by a properly licensed teacher, and that the register has been properly filled by the district clerk, he shall so certify in the register, and shall lodge such register in the office of the town clerk before the Friday next preceding the last Tuesday in March. 1878, No. 117, §§ 3, 4.

Clerk of fractional district, where to return register.

SEC. 624. The clerk of a district formed of parts of two or more towns shall return the school registers of such district to the town superintendent of the town in which the school-house is located. Such town superintendent shall, before the Friday next preceding the last Tuesday in March, forward a copy of the certificate which he is required to make in such register, if he finds reason to make such certificate, to the superintendents of all the towns in which such school district is situated.

Statistics returned by clerk of fractional district.

SEC. 625. The clerk of a district formed of parts of two or more towns shall, on or before the twentieth day of March, make return to the town superintendent in each town, specifying the number of children in the district between the ages of five and twenty years, the number of said children residing in each of the towns composing such district, the aggregate attendance of children in such district residing in each town, the aggregate attendance of the whole number of children in such district residing in each town, and also the aggregate attendance of the whole number of children between the ages of five and twenty years in the district. 1874, No. 40, § 2; 1866, No. 9, § 2; G. S. 22, § 86; R. S. 18, § 33; 1827, No. 23, § 7.

Return of town supt. to town clerk.

SEC. 626. Town superintendents shall return the certificates and returns received by them under the provisions of the two preceding sections, to the town clerks of their respective towns before the Friday next preceding the last Tuesday in March annually.

Return of town supt. to state supt.

SEC. 627. Town superintendents shall annually on or before the tenth day of April, make out and return to the state superintendent in the form prescribed by him the statistics of the schools in each district of their respective towns, and the state superintendent upon the receipt of such returns shall forward a certificate therefor to the town superintendent making the return. 1874, No. 33, § 5; G. S. 22, § 112; 1858, No. 1, § 2; 1856, No. 5, § 4; 1849, No. 14, § 6; 1847, No. 24, § 6; 1845, No. 37, § 5; 1843, No. 16, § 2; 1833, No. 19, § 1; 1827, No. 23, § 5.

Returns by academies and grammar schools.

SEC. 628. Trustees of incorporated academies and grammar schools shall cause their principals to return to the state superintendent, on or before the first day of April annually, answers to the statistical inquiries addressed to them by him in the month of January previous. 1874, No. 33, § 6; G. S. 22, § 113; 1858, No. 1, § 13.

Returns by certain graded schools.

SEC. 629. The trustees of each graded school district having a training school department shall, on the thirtieth day of 1876, No. 49, § 3.

June in each year, cause to be made to the state superintendent a complete report of the number of scholars in attendance in the training school department during the year, and the number of certificates granted in each course of study, with matters pertaining to the regulation and government of said training school department.

CHAPTER 39.

SCHOOL TAXES AND SCHOOL MONEYS.

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SCHOOL DISTRICT TAXES.

School, how to be supported; district list. 1864, No. 61; G. S. 22, §§ 45, 47, 50; 1850, No. 44; 1849, No. 16; R. S. 18, §§ 15, 16, 18; 1833, No. 19, § 2; 1827, No. 23, § 11; 1824, p. 10, § 2; R. 1797, pp. 495, 496, §§ 3, 4; 1795, p. 9; R. 1787, p. 137. 31 Vt. 337. 37 Vt. 196. 32 Vt. 769. 43 Vt. 123.

SEC. 630. All expenses incurred by a school district for the support of schools in excess of public moneys received by the district, shall be defrayed by a tax upon the grand list of the district, which list shall be made up of the polls of inhabitants of the district, of the real estate lying in the district and of the personal estate taxable therein; and real estate shall be taxed for school purposes only in the district in which it is situated.

Committee to make rate bill; warrant. G. S. 22, § 47; R. S. 18, § 16; 1827, No. 23, § 11; R. 1797, p. 495, § 3; R. 1787, p. 137. 12 Vt. 472. 27 Vt. 221. 23 Vt. 416. 32 Vt. 769.

SEC. 631. The prudential committee shall, as soon after the vote of the district for that purpose as the circumstance of the case may require, assess a tax for the amount voted to be raised, upon the district list, and make out a rate bill of the same; and any justice of a county in which the whole or part

of such district is situated, shall, on application, make out a warrant, directed to the district collector, authorizing and requiring him to levy and collect such tax within the time limited therein and pay the same to the treasurer of the district. 34 Vt. 94. 40 Vt. 31. 34 Vt. 156. 43 Vt. 362.

SEC. 632. A district may by vote, at the meeting at which a tax is voted, direct the collector to deduct a per cent., to be fixed by said vote, from the tax of a person who pays his tax before a day fixed by said vote. Notice of the time and place at which he will attend to receive taxes so voted and allow such deduction, shall be posted by the collector in three public places in the district and advertised by him in each newspaper printed in the district, at least ten days before the time named in the notice; and the collector shall make no deduction in favor of a person who does not pay his tax before the day fixed. **Deduction for payment before day fixed.** 1874, No. 14.

SEC. 633. A school district may, by a two-thirds vote of the voters present at a meeting, instruct the prudential committee to omit in making up the tax-bill for the support of schools the names of such persons as are unable to pay their proportion of such tax. **District may exempt poor.** G. S. 22, § 46; 1844, No. 6.

SEC. 634. A school district may, by a two-thirds vote of the voters present at a meeting, remit or make abatement on a district tax-bill to an amount not exceeding five per cent. of the same. **May abate taxes.** G. S. 22, § 52; R. S. 18, § 20; 1833, No. 19, § 3; 1827, No. 23, § 13.

SEC. 635. The officers of a school district, except the collector, shall constitute a board for the abatement of school taxes, and as such shall have the powers which the board for the abatement of town taxes has in the abatement of town taxes. A majority of such officers shall constitute a quorum. The prudential committee, when requested thereto by the district collector, shall call a meeting of said board in the month of March in each year, previous to the annual school meeting, by posting notice thereof in three public places in said district at least five days before such meeting. **Board of abatement.** 1878, No. 123.

SEC. 636. The district collector shall proceed in the same manner and have the same powers in levying and collecting district taxes, as town collectors in levying and collecting town taxes, and shall within the time limited collect and pay the same to the district treasurer; and the prudential committee shall have the same authority to enforce the collection and payment of district taxes that town treasurers have to enforce the collection and payment of town taxes. **Power of collector, &c.** G. S. 22, §§ 49, 51; R. S. 18, §§ 17, 19; 1827, No. 23, §§ 11, 12; R. 1797, p. 495, § 3; R. 1787, p. 137. 16 Vt. 439.

SEC. 637. A district collector shall, on the written request of one of the prudential committee, pay to the district treasurer all moneys belonging to the district collected by him up to that time, and submit his tax-book and list to said treasurer for inspection and computation; and a collector neglecting so to do shall, for every ten days' neglect, forfeit to the district one hundred dollars, to be recovered in an action on this statute. **Collector to submit tax-book, &c., on request.** 1874, No. 11, §§ 2, 3.

SEC. 638. The prudential committee shall draw their orders upon the district treasurer for all sums due from the district. **Committee to draw orders.** See §§ 2713 to 2715. G. S. 22, § 48; 1856, No. 38, § 1.

UNITED STATES DEPOSIT MONEY.

Treasurer to receive.
G. S. 22, § 91; R. S. 18, § 42; 1836, No. 15, § 1.

SEC. 639. The treasurer of the state shall receive moneys belonging to the United States to be deposited with this state and give a certificate of deposit for the same according to law.

Apportionment.
G. S. 22, §§ 92, 93, 94; R. S. 18, §§ 43, 44, 45; 1836, No. 15, §§ 3, 5.

SEC. 640. Such moneys shall be apportioned to the several towns, organized and unorganized, and to the gores, in proportion to the number of inhabitants in each. When a census is taken under the laws of congress or of this state a new apportionment shall be made. If upon such new apportionment it appears that a town has more than its share, the treasurer of the state shall demand and recover from such town such excess; and if a town has less than its share, he shall make up the deficiency to such town.

Town's share to be paid to its trustees.
G. S. 22, § 99; R. S. 18, § 49; 1836, No. 15, § 3.

SEC. 641. The treasurer of the state shall pay over to the trustees of the public money in each town which has elected such trustees, provided such trustees have executed the required bond, the share of the deposit money apportioned to such town.

Trustees' duty.
G. S. 22, §§ 95, 99; 1842, No. 13, § 1; R. S. 18, § 49; 1837, No. 12, § 3; 1836, No. 15, § 3.

SEC. 642. Such trustees shall receive such town's share of the deposit money and shall give the treasurer of the state a receipt therefor, similar to that given by said treasurer to the secretary of the treasury of the United States; and said trustees shall manage such money and report the condition of the same at each annual town meeting.

To give bonds.
G.S. 22, §§ 97, 98; 1842, No. 13, § 2, R. S. 18, § 48; 1836, No. 15, § 2.

SEC. 643. Such trustees before entering upon the duties of their office, shall execute a bond to the town with at least three sufficient sureties in such sum as the selectmen direct, conditioned for the faithful performance of their duties in loaning, managing, accounting for, and paying over as may be required by law, the moneys placed in their charge under the provisions of this chapter. And if a trustee fails to execute such bond his office shall be vacant, and such vacancy may be filled as in other cases of vacancies in town offices.

To loan moneys.
G. S. 22, §§ 101, 102, 103, 105; 1842, No. 25; R. S 18, §§ 51, 52, 54; 1836, No. 15, § 4.

SEC. 644. The trustees of the public money may loan the same to the town, if the town at a meeting warned for that purpose authorizes the selectmen to borrow it. If the money is not loaned to the town, the trustees shall loan the same, with sufficient personal security or on mortgage, as they may deem safe, made payable to the respective towns, at an interest of six per cent. annually. Such loans shall be made for a term not exceeding one year; and the moneys may be collected at the expiration of the term and loaned to other persons, or the loan may be extended to the same persons for an additional period. The trustees shall annually previous to the first day of March pay to the town treasurer the income received from such moneys.

State treasurer, when to retain shares.
1865, No. 39, § 1; G. S. 22, §§ 92, 96; 1845, No. 33; 1844, No. 7; R. S. 18, § 47; 1836, No. 15, § 8.

SEC. 645. The treasurer of the state shall retain the share apportioned to towns which have not elected trustees, and the shares of unorganized towns and gores, and shall annually previous to the first day of March pay to the treasurer of each organized town not electing trustees, and to the treasurers of

school districts in unorganized towns and gores which have maintained schools for the required length of time during the previous year, the interest upon the shares apportioned to such towns and gores. And he shall divide the interest money of each unorganized town or gore among the school districts therein in the manner provided for the distribution of town school moneys among the several districts in towns.

Town treasurer to give credit, &c. G. S. 22, § 105; R. S. 18, § 54.

SEC. 646. The treasurer of each town shall give credit in his account of the school fund, for all sums received by him as income from the town share of the deposit money.

Income, how to be appropriated. G. S. 22, §§ 104, 106; R. S. 18, §§ 53, 55; 1836, No. 15, §§ 5, 6.

SEC. 647. The income from the deposit money received by each town shall be annually appropriated to the support of schools in the town. But if a town has other school funds the income of which is sufficient to support schools in all the districts in such town for six months in each year, such town may appropriate the income received from its share of such money to the support of schools or to any purpose.

Town liable to return moneys. G. S. 22, § 100; R. S. 18, § 50; 1836, No. 15, § 2.

SEC. 648. Towns which have received their portion of the deposit money shall be accountable for the return of the same, or any part thereof, when required by the treasurer of the state on requisition of the United States or for the purpose of a new apportionment, as towns are accountable for state taxes.

Penalty for neglect to comply with law. G. S. 22, § 107; R. S. 18, § 56; 1836, No. 15, § 7.

SEC. 649. If a town fails to comply with the provisions of this chapter relative to the management or disposition of United States moneys received by such town, it shall forfeit to the treasurer of the county, for the use of such county, a sum not exceeding double the amount of the interest of such moneys.

Grand jury to present. G. S. 22, § 108; R. S. 18, § 57; 1836, No. 15, § 7.

SEC. 650. The grand jury shall inquire how the towns have managed and disposed of the moneys so deposited with them, and the annual interest thereof; and if a town has not complied with the provisions of this chapter relative to such deposit money they shall present to the court their indictment therefor against such town; and notice thereof shall be given to such town as is required in case of indictment for not repairing highways.

Duty of state treasurer. 1865, No. 39, § 2.

SEC. 651. The treasurer of the state, in the collection of the United States deposit money loaned by former treasurers, shall adjust and settle the same as is for the interest of the state.

TOWN SCHOOL FUND.

Selectmen to manage, and annually account for. 1878, No. 110, § 1; G. S. 22, § 78; R. S. 18, § 27; 1827, No. 23, § 3. 38 Vt. 193.

SEC. 652. The selectmen of a town shall have charge of the real and personal estate in such town appropriated as a fund to the use of schools therein, unless otherwise provided for by law, or unless the person giving any part thereof directs the same to be managed in some other way, and shall annually render an account to the town of their proceedings in connection therewith; and the selectmen shall lease lands appropriated for such purpose, and loan moneys on annual or semi-annual interest, with sufficient security, and for such security may take mortgages or deeds of any real estate in the state.

Proceedings as to, to be in town's name; duty of selectmen.
1878, No. 110, § 1; G. S. 22, § 78; R. S. 18, § 27.

SEC. 653. The securities for the payment of the moneys so loaned and the interest thereon, shall be taken in the name of the town, and the selectmen may, in the name of the town, prosecute and defend actions for the recovery or protection of the estate so intrusted to their care; and if the title or possession of real estate mortgaged or deeded as security is recovered in such action, the selectmen may, in the name of the town, lease or sell and convey such real estate, and invest the moneys received therefrom as provided in the preceding section.

Tax-payer may take acknowledgment of deed, &c.
1878, No. 110, § 2.

SEC. 654. A person authorized to take the acknowledgment of deeds may take the acknowledgment of a deed provided for in the two preceding sections or may sign such deed as witness although he is an inhabitant and tax-payer of the town.

Securities to be kept by treasurer, &c.
G. S. 22, § 79; R. S. 18, § 28.

SEC. 655. The securities belonging to the town school fund shall be deposited in the office of the treasurer of the town; and moneys received on account of the same, shall be paid into such treasury; and a separate account of the same shall be kept on the books of the treasurer.

TOWN SCHOOL TAXES.

Town may lay tax to support schools.
G. S. 22, § 82; 1842, No. 20, § 3; R. S. 18, § 31; 1827, No. 23, § 22; R. 1797, p. 497, § 7.

SEC. 656. A town may at the annual town meeting, or at a meeting warned for that purpose, raise money for the use of schools, by a tax on the list of such town.

State school-tax.
1870, No. 10, § 8; G. S. 22, §§ 80, 81, 82; 1842, No. 20; R. S. 18, §§ 29, 30, 31; 1827, No. 23, §§ 9, 22; 1826, No. 44; 1826, No. 43, § 1; 1824, p. 10, § 1; 1810, p. 153.
12 Vt. 127. 38 Vt. 221. 13 Vt. 565.

SEC. 657. If in any year the income appropriated for the use of schools in a town with any tax voted by the town, after deducting one-half the income of the United States deposit money, amounts to a less sum than nine per cent. of the grand list of the town, the selectmen shall, previous to the first day of January, assess a tax on the grand list, to be collected and paid into the treasury before the first day of the succeeding March, for such amount as such sum is less than such nine per cent., for the use of schools in the town. But this section shall not apply to towns using the town system of schools.

Penalty for neglect to lay tax.
G. S. 22, § 87; R. S. 18, § 34; 1827, No. 23, § 18; 1824, p. 10, § 3; 1821, p. 90, § 1.
13 Vt. 565.

SEC. 658. If the selectmen of a town do not assess, collect, or appropriate the tax for the support of schools as provided in this chapter, the town shall forfeit to the county a sum equal to double the amount which the selectmen are required to raise by tax, to be recovered by information or indictment in the county court.

Disposal of penalty.
G. S. 22, § 88; R. S. 18, § 35; 1827, No. 23, § 18; 1821, p. 90, § 1.

SEC. 659. One-fourth of such penalty shall be for the use of the county, and three-fourths shall be paid to the selectmen for the use of schools in such town; and the treasurer of the county, immediately after the receipt of such money, shall give notice thereof to the selectmen of the town, who shall forthwith receive, apportion, and appropriate the same to the support of schools in such town, as if it had been raised by tax.

Grand jury to present.
G. S. 22, § 89; R. S. 18, § 36; 1827, No. 23, § 18; 1821, p. 90, § 1.

SEC. 660. Grand juries shall annually inquire whether towns in their counties have assessed, collected, and expended the tax for the support of schools, as required in this chapter;

and in case of neglect they shall present their indictment thereof to the court.

DIVISION OF PUBLIC MONEYS.

Selectmen to divide.
1880, No. 94, § 5; 1876, No. 51; 1874, No. 40, § 1; 1866, No. 9, § 1; 1864, No. 59; G.S. 22, § 83; 1858, No. 1, § 5; R. S. 18, § 32; 1827, No. 23, § 9.

SEC. 661. The selectmen of each town shall, on the Friday next preceding the last Tuesday of March, divide the school moneys in the treasury of such town among the school districts in such town.

Moneys, how divided.
1880, No. 94, § 6; 1876, No. 51; 1874, No. 40, § 1; 1866, No. 9, § 1; G. S. 22, § 83; 1860, No 5; 1858, No 1, § 6; R. S. 18, § 32; 1827, No. 23, § 9; R. 1797, pp. 493, 497, §§ 1, 7; 1795, p. 10, § 3; R. 1787, p. 136.

SEC. 662. If the amount of such moneys does not exceed twelve hundred dollars, one-half thereof, and if it exceeds twelve hundred dollars, one-third thereof shall be divided among the common school districts in such town equally, except as otherwise provided in the case of districts only partially situated in the town. The remainder of such moneys shall be divided among the districts in the town, including union districts, in proportion to the aggregate attendance of scholars between the ages of five and twenty years upon the schools of the district during the preceding school year, except as otherwise provided in the case of districts only partially situated in the town; such aggregate attendance to be ascertained from the records thereof kept in the registers of such schools, by adding together the number of days of actual attendance of each scholar between the ages of five and twenty years.

District, when denied share.
1880, No. 94, § 7; 1874, No. 40, § 1; 1866, No. 9, § 1; G. S. 22, § 83; 1849, No. 15, § 2; R. S. 18, § 32; 1827, No. 23, § 9; R. 1797, p. 497, § 7; R. 1787, p. 136.

SEC. 663. The moneys shall be paid over, under the direction of the selectmen, to the several treasurers of such districts: but no union or other district shall receive any of such moneys unless a school has been kept in such district during the year next preceding such distribution, for two full terms of ten weeks each, or their equivalent, nor unless the registers of such district for such year contain the certificate of the town superintendent that a school has been maintained in such district for the required length of time by a properly licensed teacher, and that the registers have been filled out in compliance with law.

Montpelier district, not affected.
1880, No. 94, § 8; 1876, No. 51; 1874, No. 40, § 1; 1866, No. 9, § 1; G. S. 22, § 83; 1860, No. 5.

SEC. 664. Nothing in the three preceding sections shall affect the Montpelier union district.

District, when denied share.
1880, No. 100.

SEC. 665. No public money of any town shall be distributed to any school district for attendance of scholars at any school taught by a teacher who has not the certificate required by law, except for attendance at an academy in certain cases, as now provided for by law, nor to any school district whose school register does not contain the certificate of the town superintendent as required by law.

Share of union and graded school districts.
1868, No. 33, § 1.

SEC. 666. Union or graded schools formed in pursuance of law, when the town in which they are located so votes, shall receive the same amount of that portion of the public school money which is distributed equally between the districts as the districts forming such graded or union districts would have received.

Share of fractional district.

SEC. 667. When a district is formed of parts of two or

1874, No. 40, § 2; 1866, No. 9, § 2; G. S. 22, § 86; R. S. 18, § 33; 1827, No. 23, § 8; 1808, p. 55, § 2.

more towns, such district shall receive from the treasury of each town a proportion of the moneys so distributed, as follows:

I. Of that part which is divided equally among the districts, a sum bearing the proportion to the sum severally received by the other districts in such town, which the number of children in such district, residing in such town, bears to the whole number of children in such district.

II. Of that part which is divided among the districts in proportion to the aggregate attendance of scholars, a sum bearing the proportion to the whole sum to be divided in such town which the aggregate attendance of the whole number of children in such district, residing in such town, bears to the aggregate attendance of the whole number of children in such town.

Statement to be lodged with clerk.
G. S. 22, § 85; 1847, No. 24, § 4.

SEC. 668. The selectmen in the month of April annually, after they have made division of the public moneys, shall lodge with the town clerk a written statement of the amount of money divided to each district during the current school year.

CHAPTER 40.

COMPULSORY ATTENDANCE; GENERAL PROVISIONS.

SECTION
669. What children shall attend school; penalty for permitting non-attendance.
670. Penalty against children violating this law.
671. Prosecution of parent, guardian or master.
672. Complaint, what it shall state; appeal.
673. Certain children not to be employed in mills or factories; penalty for employing.
674. No taxation for sectarian schools.
675. Persons under five years of age shall not attend public schools.
676. Use of school-house for certain purposes.
677. School year, day, week and month.
678. Evening schools.
679. Tax to be assessed to pay execution against district.

What children shall attend school; penalty for permitting non-attendance.
1867, No. 35, §§ 1, 3.

SEC. 669. Every child of good health and sound mind, between eight and fourteen years of age, shall attend a public school at least three months in the year, unless such child has been otherwise furnished with the means of education for a like period of time, or has already acquired the branches of study taught in the public schools; and a parent, master or guardian who permits his child, apprentice or ward to violate the provisions of this section, shall be prosecuted and fined as provided in section five hundred eighty-six [§ 673].

Proceedings against children violating this law.
1870, No. 13, § 1.

SEC. 670. A member of the prudential committee of a district, or a sheriff, deputy sheriff or constable of a town in which the district is located, may arrest, and shall arrest upon application of three voters of the district, any child who is violating the provisions of the preceding section and who, during a term of the public school in the district in which he resides, is habitually found in the streets or other public place,

having no lawful occupation, or who is an habitual truant; and shall take him to the school in said district and place him in charge of the teacher thereof; and shall give notice thereof in writing to, and shall therein require the parent, guardian or master to cause the child to attend school regularly.

Prosecution of parent, guardian or master. 1870, No. 13, § 2.

SEC. 671. If such parent, guardian or master does not cause such child to attend school regularly for six days after receiving such notice, having no good reason therefor, the officer making the arrest shall make complaint to a justice, and such justice shall issue a warrant directed to any sheriff or constable in the state, commanding him forthwith to arrest and bring before said justice, such parent, guardian or master, and such child; and upon proof that the child was liable to arrest as provided in the preceding section and that the parent, guardian or master has received and not complied with the notice and requirement before specified, the justice shall fine such parent, guardian or master not less than ten nor more than twenty dollars, which shall be paid into the treasury of the town for the benefit of schools in such town.

Complaint; appeal. 1870, No. 13, §§ 3, 4.

SEC. 672. The complaint shall be sufficient if it states that said parent, master or guardian neglects to send to school as required by law, his child, apprentice or ward, naming such child, apprentice or ward; and prosecutions under such complaint shall be conducted like criminal prosecutions, and an appeal may in like manner be had to the county court.

GENERAL PROVISIONS.

Employing children in mill or factory; penalty. 1867, No. 35, §§ 2, 3.

SEC. 673. No child between ten and fourteen years of age, who has resided in the state one year, shall be employed in a mill or factory unless such child has attended a public school three months during the preceding year. A person who employs a child in violation of this section shall forfeit not less than ten nor more than twenty dollars, to be recovered by prosecution before a justice, one-half to go to the complainant and one-half to the town in which the child resides.

No taxation for sectarian schools. 1872, No. 15.

SEC. 674. No moneys raised upon the grand list shall be appropriated for the maintenance of strictly sectarian or religious schools.

No pupil under five. 1870, No. 11, § 3.

SEC. 675. No person under five years of age shall be received as a pupil in a public school.

Use of school-house. 1872, No. 10.

SEC. 676. A school district may allow the use of the school-house of such district for meetings for religious worship, lectures, and similar purposes, when not needed for school purposes.

School year, day, week and month. 1872, No. 16; G. S. 22, § 38; 1847, No. 24, § 1.

SEC. 677. The school year shall commence on the first day of April, and end on the last day of March following. In the absence of express contract, a session of three hours in the forenoon and three in the afternoon shall constitute a school day, five such days a school week, and four such weeks a school month.

Evening schools. 1874, No. 37, § 2.

SEC. 678. A district may, at a meeting, vote to establish evening schools, and may maintain the same as day schools are maintained; and each session of such evening schools shall be treated as a half-day session of a public school.

Tax to pay execution. G. S. 85, § 14; R. S. 78, § 11; R. 1797, p. 301, § 5; R. 1787, p. 31.

SEC. 679. When demand is made upon a school district for the payment of an execution issued against it, and the district has no available funds to pay the same, the prudential committee shall forthwith assess and collect a tax sufficient to pay the same and the charges and twelve per cent. interest, in the same manner as a tax voted by the district is assessed and collected.

CHAPTER 41.

INSTRUCTION OF THE DEAF, DUMB, BLIND, IDIOTIC AND FEEBLE-MINDED.

SECTION
680. Commission and board of instruction.
681. Report of commissioner; compensation.
682. Annual appropriations.
683. Places of instruction.
684. Board of civil authority to certify statistics to county clerk.
685. County clerk to make returns to the governor.
686. Powers of commissioner.
687. Selectmen to execute bond of indemnity against certain expenses.
688. Town to defray expenses of conveyance.

Commissioner. 1872, No. 19; G. S. 23, § 1; 1842, No. 16, § 1; R. S. 19, § 1; 1833, No. 21, § 2; 1825, No. 31, § 2.

SEC. 680. The governor shall be by virtue of his office commissioner of the deaf, dumb and blind, and of the idiotic and feeble-minded children of indigent parents, and as such commissioner shall constitute the board for their instruction.

Report, compensation. 1872, No. 19, § 7; G. S. 23, §§ 8, 9; 1845, No. 15, § 2; 1842, No. 16, §§ 3, 4; R. S. 19, §§ 7, 8; 1826, No. 52; 1825, No. 31, § 2.

SEC. 681. He shall annually report to the legislature his proceedings under this chapter with an account of the expenditures arising therefrom, and shall receive fifty dollars annually for his services as such commissioner.

Appropriations. 1874, No. 81; 1872, No. 19, § 1; 1869, No. 12; G. S. 23, § 2; 1861, No. 34; R. S. 19, § 2; 1833, No. 21, § 1; 1830, No. 27; 1825, No. 31, § 1.

SEC. 682. A sum not exceeding five thousand dollars is annually appropriated for the benefit of the deaf and dumb, and a sum not exceeding four thousand dollars for the benefit of the blind, and a sum not exceeding two thousand dollars for the benefit of the idiotic and feeble-minded children of indigent parents, to be used agreeably to the provisions of this chapter.

Places of instruction. 1872, No. 19, § 2; 1868, No. 40; G. S. 23, § 3; R. S. 19, § 3; 1833, No. 21, § 2; 1825, No. 31, § 2.

SEC. 683. Until provision is otherwise made by law the beneficiaries mentioned in this chapter shall be instructed at the following places: the deaf and dumb at the American Asylum for the education of the deaf and dumb at Hartford, Connecticut, or the Clarke Institution at Northampton, Massachusetts; the blind at the New England institution for the instruction of the blind at Boston, Massachusetts; and the idiotic and feeble-minded children at the Massachusetts school for idiotic and feeble-minded youth, at Boston.

Statistics certified to county clerk. 1872, No. 19, § 3; G.

SEC. 684. The board of civil authority in each town shall ascertain, and certify to the county clerk on or before the first

day of February annually, the number of deaf and dumb persons and the number of blind persons in such town, their ages, conditions and circumstances, and the ability of their parents to educate them, the names of all idiotic and feeble-minded children between the ages of five and fourteen years residing in such town and the pecuniary ability and circumstances of their parents or the persons bound to support them, and whether in the opinion of such board the persons enumerated and named are proper subjects of the charity of the state, and whether they and their parents or guardians are willing they should become beneficiaries of either of the institutions mentioned in the preceding section, or such other institution as is provided by law for the instruction of such persons.

S. 23, § 4; 1841, No. 22, § 2; R. S. 19, § 4; 1833, No. 21, § 3; 1825, No. 31, § 3.

SEC. 685. Each county clerk shall make return to the governor, before the first day of March in each year, of the information he receives from the several boards of civil authority in his county.

County clerk to make returns.
1872, No. 19, § 4; G. S. 23, § 5; 1842, No. 22, § 2; R. S. 19, § 5; 1833, No. 21, § 3; 1825, No. 31, § 3.

SEC. 686. The governor may designate beneficiaries, as aforesaid, may direct the auditor of accounts to draw orders on the treasury for any part of the appropriations provided in section five hundred ninety-five [§ 682]; may superintend and direct all concerns relating to the education of deaf, dumb, blind, idiotic, or feeble-minded persons, inhabitants of the state, and may allow all or any portion of the expenses of their conveyance to, and support in, the institutions in which they are instructed for such time as he deems proper; and he may in his discretion take bonds to indemnify the state against expenses which accrue in consequence of the sickness, clothing, or transportation of any beneficiary.

Powers of commissioner.
1872, No. 19, § 5; G. S. 23, § 6; 1842, No. 16, § 1; 1841, No. 22, § 4; R. S. 19, § 6; 1833, No. 21, § 2; 1825, No. 31, § 2.

SEC. 687. The selectmen of the several towns in this state are hereby authorized and empowered to execute in their official capacity in behalf of their respective towns, without a previous vote of said town for that purpose, the bond which may be required to be given by the town to indemnify the state against expenses which may accrue in consequence of the sickness, clothing or transportation of the deaf, dumb and blind state beneficiaries from such town.

Bond of indemnity.
1880, No. 124.

SEC. 688. When a person is designated a beneficiary, the town in which he resides shall defray the expenses of his conveyance to and from the institution in which he is to be instructed if in the opinion of the selectmen his parent or guardian is not able to pay the same.

Expenses of conveyance.
1872, No. 19, § 6; G. S. 23, § 7; 1858, No. 3.

LIBRARY OF THE UNIVERSITY OF CALIFORNIA.

COMPENSATION OF TOWN SUPERINTENDENT.

School superintendent. 1880, No. 101.

SEC 4540. Each town superintendent of sshools shall receive one dollar and fifty cents for each day necessarily spent in the discharge of his legal duties; but such number of days spent in the visitation of schools shall not exceed in any case the number of terms of schools taught in the town of which he is superintendent. He shall also be allowed the sum of one dollar and fifty cents for each day necessarily spent in making his annual report to the state superintendent of education, and in making his annual report to the town meeting, provided such report is either written or printed, and ten cents per mile one way for necessary travel in attending the annual county meeting of town superintendents, as now provided by law.

Town may vote superintendent more pay. 1865, No. 29.

SEC. 4541. A town may at its annual meeting or at a meeting warned for that purpose vote to pay its superintendent out of the town treasury such sum in addition to the pay provided by law for his services as appears reasonable.

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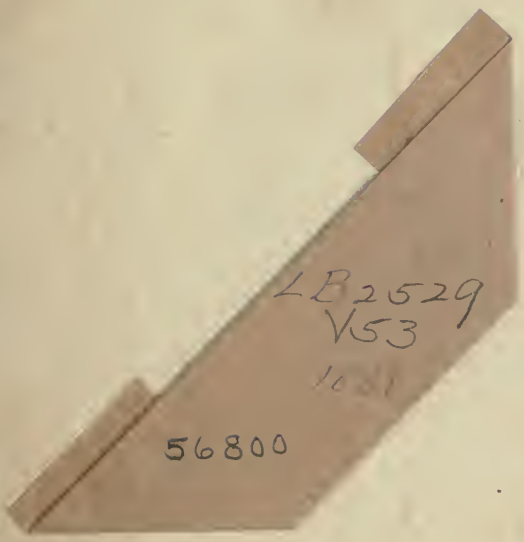
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